

MEMOIRS
OF
THE COURT
OF
KING CHARLES THE FIRST.

BY LUCY AIKIN.

IN TWO VOLUMES.

VOL. I.

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PREFACE.

THE Memoirs of the Court of King James which the present author published several years ago, as a sequel to those of the Court of Queen Elizabeth, werethen designed by herself to serve as an introduction to a similar work concerning the more memorable reign of his son, should life and health be lent her to complete so arduous an undertaking. That work she now submits to the candor of the public.

On the views which she has taken of her subject, or the difficulties which she has encountered in the execution, it is not her purpose here to expatiate. But gratitude forbids her to preserve silence concerning those personal friends, or favorers of her pursuits to whose kindness she has been indebted for the loan of valuable manuscripts or rare publications, for active researches into original documents, or for learned information on the more difficult or technical points of inquiry connected with her subject.

She desires in an especial manner to record her obligations and express her acknowledgments to the marquis of Lansdowne; to viscount Eliot; to Benjamin H. Bright, Esq.; to the Messrs. Merivale, father and son; to David Jardine, to Samuel Duckworth, and Thomas Coltman, Es-

quires, and to the Rev. W. Shepherd; to whose united contributions she is conscious that her work will owe a large share of whatever merit or interest it may acquire, with the well informed reader, as a source of novel information or correct statement respecting the characters and events of the most remarkable period in the annals of Great Britain.

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MEMOIRS

OF THE

COURT OF KING CHARLES I.

CHAPTER I.

1600 to 1625.

Birth of Charles—His weakly infancy—Deformity of his legs—Impediment in his utterance.—Is brought to England and created duke of York.—His early faults of temper.—Good qualities—Acquirements—Taste for objects of art.—Is created Prince of Wales.—Attended by Scotchmen.—His religious instruction.—Dr. Hakewill—Treachery of the prince towards him.—Attends his mother's funeral and his father's.—His unpleasant position at his father's court—Buckingham's insolence.—He conciliates the prince—Attends him to Madrid—Treatment and behaviour of the prince there—Jealousy of the king of Spain.—Return of the prince and duke.—False statements of Buckingham vouched by the prince, who shares in his measures against the earl of Middlesex and the earl of Bristol.—Anecdote of his pertinacity.—His professions against popery.—Marriage treaty with France.—Holland sent ambassador.—Intrigues of Mary of Medicis.—Character of Holland—His letters to the prince.—Earl of Carlisle joined in commission.—Treaty ill-conducted.—Marriage articles.

CHARLES STUART second son of James VI. of Scotland by Anne of Denmark his queen, was born at the royal castle of Dumfermline in Scotland on November 9, 1600. On account of the weakness of the infant, it was judged expedient to hasten his baptism; the prince of Rohan, the chief of the French hugonots, and his brother Soubise, kinsmen of the house of Guise, were his godfathers. At three

years of age, he was committed to the care of the lady of sir George Cary, afterwards created earl of Monmouth, who mentions, in his memoirs of himself, that the young prince was not yet able to stand, owing to weakness and distortion of the legs, an infirmity which he inherited from his father. Under the attentive and judicious management of lady Cary, the weakly constitution of the young prince gradually improved; it became firm and vigorous when he had attained to manhood, and he is said to have exhibited considerable activity in his sports and exercises; his stature however remained below the middle size, and the deformity of his childhood was never entirely corrected.* Another natural defect under which he laboured proved a more serious inconvenience; this was an impediment in utterance, which through life was apt to manifest itself whenever he became earnest in discourse, and which had doubtless a great share in producing the taciturnity for which he was remarkable.

On completing his fourth year, Charles was at length brought to England, where [the other members of the royal family had been for many months established, and on Twelfth-day 1605 he was created a knight of the Bath with twelve companions, and afterwards solemnly invested with the dignity of duke of York.

We search in vain among contemporary letters and memoirs for early anecdotes of this prince. During the life of that spirited and somewhat boisterous youth his elder brother, who took pleasure in turning into ridicule his sedentary and studious habits, he was of course a very subordinate object of public interest; even after the death of Henry had rendered him immediate heir to the British crowns, he appears to have lived much in seclusion; and when seen, his manners and deportment were not greatly adapted either to flatter the hopes or win upon the affections of the people.

"His childhood," says his encomiastic biographer Perin-chief, "was blemished with a supposed obstinacy, for the weakness of his body inclining him to retirements, and the imperfection of his speech rendering discourse tedious and unpleasant, he was suspected to be somewhat perverse." "He was noted," says another writer, "to be very wilful and obstinate by queen Anne his mother and some others who were about him. . . . The old Scottish lady his nurse was used to affirm so much, and that he was of a very evil nature

* In the fine equestrian portrait by Vandyke now at Hampton court, a curvature at the knee is distinctly visible.

even in his infancy ; and the lady who after took charge of him cannot deny but that he was beyond measure wilful and unthankful.”*

As he advanced in age, these faults of temper, though never eradicated, were however checked in their growth by the expansion of his faculties, and other qualities began at the same time to unfold themselves which were observed with approbation and respect. His reserve acted as a preservative against any notorious indulgence in the common excesses of youth ; he was moderate in his expenses, prudent in his conduct, regular at his devotions ; his industry was considerable, and his pursuits for the most part respectable or elegant. King James, who exulted in the title of the most learned prince in Christendom, was anxious that his son should succeed to this commendation, and he exerted his efforts to inspire him with a preference for his own objects of pursuit. At the premature age of ten, he was made to go through the forms of holding a public disputation in theology, and he actually acquired a more than princely familiarity with the polemics of the time. His own inclinations however led him chiefly to the study of mechanics and the fine arts. An attached adherent has thus described his various accomplishments. “ With any artist or good mechanic, traveller, or scholar, he would discourse freely ; and as he was commonly improved by them, so he often gave light to them in their own art or knowledge. For there were few gentlemen in the world that knew more of useful or necessary learning than this prince did : and yet his proportion of books was but small, having like Francis the first of France learned more by the ear than by study. . . . His exercises were manly, for he rid the great horse very well ; and on the little saddle he was not only adroit, but a laborious hunter or fieldman, and they were wont to say of him, that he never failed to do any of his exercises artificially, but not very gracefully ; like some well-proportioned faces which yet want a pleasant air of countenance.”†

A collection of antiques and other objects of curiosity bequeathed to him by prince Henry appears first to have directed his attention towards painting and sculpture ; the taste was afterwards fostered in him by the duke of Buckingham,

* Lilly's *Observations*, p. 2.

† *Memoirs of sir Philip Warwick*, pp. 65, 66.

and his merits as a connoisseur, and a patron of art and artists were unquestionably great.

At the age of sixteen Charles was solemnly created prince of Wales, and a numerous household was formed for him, of which it is remarkable that almost all the officers were Scotch. Mr. Murray his tutor, who had been about him from his sixth year, was also of this nation, and a presbyterian. These circumstances excited many fears and jealousies; and on occasion of a dangerous illness of the king's in 1618, we are told that bishop Andrews, "as a confessor to his majesty, took an opportunity of expressing to him the sad condition of the church if God should at that time determine his royal life; the prince having only been conversant with Scotchmen, who made up the greater part of his family, and were ill-affected to the government and worship of the church of England." Struck by this representation, the king made a vow, that if God should be pleased to restore his health, he would give his son such instruction in religious controversy as should secure his affections to the English establishment; and so confident did he afterwards feel of the success of his efforts, that on giving his last instructions to the chaplains who were to attend the prince in Spain, while he cautioned them to avoid theological disputations as much as might be, he remarked however, that should any by chance arise, his son would be able to moderate in them. The divines expressing by their looks something of incredulity, he added with vehemence; "Charles shall manage a point of controversy *with the best studied of you all.*"*

The religious instructor who was placed about the prince in consequence of the representations of bishop Andrews was Dr. Hakewill, an eminent divine of Oxford, whose zeal was basely requited by his pupil on the following occasion. In the year 1621, when the long pending negotiations for the marriage of Charles with the Spanish infanta began to be pursued with a near prospect of success, Dr. Hakewill, moved solely, as it should appear, by a sense of duty to religion, to his country, and to the prince himself, drew up a small tractate calculated to dissuade him from marriage with a catholic princess. This he offered to him in manuscript, entreating him at the same time to conceal it from the king, "or he should be undone for his good will." Charles took the piece, we are told, with many thanks, and promised that

* Kennet's *Complete Hist.* iii. p. 2.

"it should never go further than the cabinet of his own breast;" but at the same time inquired to whom it had been communicated previously. Hakewill replied, that he had shown it to the archbishop of Canterbury, who on returning it said, "Well done, thou good and faithful servant;" and that Mr. Murray had likewise seen it, but no one else.

Two hours after, the prince, regardless of his promise, carried the piece to the king; by whose illegal command Hakewill, in common with all others who had ventured to declare their opposition to this favorite measure of his policy, was thrown into prison; on his liberation he was immediately deprived of his office about the prince, and for ever debarred of further preferment. Murray was also disgraced on the occasion, although he had earnestly endeavoured to dissuade Hakewill from risking the presentation of his piece to the prince; but the provostship of Eton was afterwards conferred upon him in recompense of his long service.*

The jealousy with which a reigning prince is generally understood to regard his successor, has often the effect of placing the heir to a throne in a position as trying to the temper as it is on many other accounts unfavourable to the formation of the character and moral habits; and *Charles*, during his early years, was unfortunate enough to be exposed to the double mortification of finding himself a cypher at his father's court, and of beholding an assuming minion disposing with absolute command of offices and honours, attracting universal homage, and filling the scene with his upstart magnificence. It is not improbable that the retired mode of life adopted by the prince on the formation of his household, was prompted in part by a dissatisfaction at the predominance of Buckingham which he feared at first to express more plainly; but when his manly age, the real consequence which was his birthright, and his own increasing interest in public business, for which he had considerable aptitude, forbade him longer to shroud himself in obscurity, collision became inevitable, and there succeeded an open jealousy and resentment on the part of the prince, provoked by acts of almost incredible insolence and audacity on that of the favorite.

On one occasion, in presence of a great company, Buck-

* The particulars of this story are derived from Weldon's *Observations of king Charles*; but the general fact that his opposition to the Spanish match was the cause of Hakewill's disgrace, we also collect from his article in Wood's *Athen. Oxon.*

ingham is related to have defied his future sovereign in terms of the vilest and most insulting scurrility ; on another, some dispute having arisen between them at balloon, or tennis, he cried out to him ; “ By God it shall not be so, nor you shall not have it ! ” lifting up his racket at the same time in such a position that the prince exclaimed, “ What ! my lord, I think you intend to strike me.”

We are left to conjecture in vain of what nature the explanations, submissions, or reparations could be which sufficed to obliterate from the mind of Charles all memory, or at least all resentment, of conduct so outrageous ; that such were offered we are informed by Clarendon ; and it is uncertain whether Buckingham made, or only sealed his peace, by first causing to be suggested to the prince, and afterwards finding means to carry into effect, the romantic design of his journey to Spain for the purpose of wooing the infanta.

No sooner was this enterprise concerted between them, than Charles, in his eagerness for its accomplishment, suffered the duke in his own presence, to *bully* his royal father into a reluctant acquiescence ; and during their journey the duke improved his opportunities with so much acuteness and address, as to establish over the mind of the prince that ascendancy which he preserved to the last moment of his brief career.

As a piece of political history, the long and fruitless marriage treaty with the court of Spain, belongs to the reign of king James ; but some particulars more personal to the prince, and important to the illustration of his character and principles, claim to be here discussed.

It cannot be doubted that Buckingham, so far from being originally adverse to the Spanish match, as some have suggested, had long been using secret means to augment the impatience of the prince for its completion ; of which he designed to arrogate to himself the whole merit ; and having thus cancelled all former offences, to prolong into another reign the duration of his power and favor. To Gondomar, who is understood to have been his secret ally in the affair, he had thus expressed himself several months before the project of the prince's journey was disclosed. . . . “ To conclude all, I will use a similitude of hawking, which you will easily understand, being a great falconer. I told you already that the prince is, God be thanked, extremely sharp set upon this match ; and you know that a hawk when she is first dressed and made ready to fly, having a great will upon her,

if the falconer do not follow it at that time, she is in danger to be dilled for ever after. Take heed therefore lest, in the fault of your delays there, our prince and **falcon gentle*, that you know was thought slow enough to begin to be eager after the feminine prey, become not so dull upon these delays, as in short time after he will not stoop to the lure, though it were thrown out to him.”* But the Spanish court, even if at this time sincere in the treaty, was at least bent on procrastinating its conclusion till the ruin of the unfortunate elector Palatine should be consummated ; and it neither departed in consequence of these admonitions from what king James called its “dull diligence,” nor yet, when the prince arrived to urge his suit in person, could it be induced, in compliment to his gallantry, to relax in the smallest degree the rigor of its etiquette. He was never permitted to converse with his mistress for an instant without witnesses, nor was she allowed to receive and answer his letters. No other favor was granted him than to sit near her in public, to address her through an interpreter, and to gaze at her ; but of this last privilege he is said to have made such ample use, that he was sometimes observed to keep his eyes fixed upon her without moving for half an hour together. He watched her, said Gondomar, as a cat watches a mouse.

The court and people of Madrid esteemed in Charles a sobriety, gravity and stateliness of demeanor closely resembling their own, and a magnificent bounty to which they had seen nothing comparable ; but it was with extreme wonder and disgust that they beheld him patiently endure the disrespectful and even impertinent familiarity of a favorite who took no pains to conceal either the levity and presumption of his character or the gross licentiousness of his life.

It would be difficult to assign rules for the conduct of a protestant prince who visits a catholic country as the suitor of a catholic princess. In such a situation some sacrifices of dignity and consistency seem unavoidable. But when we find Charles concurring with Buckingham in urging his father to consent that a promised acknowledgment of the pope’s supremacy on his own part should stand as a preliminary article of the treaty ;—answering a letter addressed to him by the pontif with warm professions of respect for the “Holy Father,” and wishes for an unity of religion between them, accompanied by a declaration that he had never felt any

* *Cabala*, p. 206.

hostility towards that of Rome ;—and adding by a secret article two years to the age up to which it was stipulated that the children of the marriage should remain under their mother's tuition ;—every protestant will feel and own that the limits of allowable and expedient compliance were on this occasion greatly overpassed. Nor could it surely be regarded as a palliation of the conduct of Charles, should it be admitted that he meant nothing by such professions but empty compliments, and regarded articles inserted in a solemn treaty and confirmed by the oaths of all the parties, as words of no consequence or effect. In other particulars he was not less chargeable with gross dissimulation and the unhesitating employment of promises and protestations never intended to be fulfilled or acted up to. It was his *last* act before quitting Madrid to swear to the terms of the treaty and lodge his marriage proxy with the earl of Bristol ; his *first*, on entering an *English* ship of war at St. Andero's, to express indignation at the injuries which he declared himself to have received at the hands of that court and king which he had just quitted with the warmest expressions of esteem and affection, and to forbid by a private order the delivery of the marriage-proxy which he had publicly given.

How far Charles might have been led to regard the employment of artifice as necessary to secure his safe return to England, is a question which it is not easy to solve. A good deal of mystery still hangs over the real history of this whole transaction ; but there appears to be sufficient evidence that almost at the exact moment of the quarrel between Olivares and Buckingham, the English favorite received from the elector Palatine secret offers of friendship, and even of an alliance between their children, on condition of his employing his influence to break off the treaty of marriage ; and that thus motives of personal interest and ambition conspired with the offended pride which already disposed him to disconcert the measures of the court of Spain. After this, there can be no doubt that he would avail himself of every pretext to instil into the mind of Charles a persuasion of the insincerity of that court in its negotiations, and even apprehensions for his personal safety ; but it is also certain that the prince had met with real indignities ; for this even the earl of Bristol, the minister most interested in the success of the treaty, is compelled to acknowledge in a letter addressed to Charles for the purpose of urging him, nevertheless, to complete the marriage. In the time of your being here," says he, "admitting that their

proceedings have been in many things unworthy of you, and that divers distastes have arisen by intervenient accidents, now things are reduced to those terms that the match itself is sure."

A remarkable anecdote on this subject occurs in the *Memoirs of Anne of Austria* by Madame de Motteville, who gives it on the authority of queen Henrietta Maria, with whom she had much confidential intercourse at Paris during the civil wars of England, and afterwards. It is to this effect: That when the king her husband was at Madrid, finding the queen of Spain, a French princess and elder sister to Henrietta, much to his taste, he sometimes sought opportunities of addressing her without an interpreter in French; and that having spoken only a few words to her, she replied in a whisper, "I dare not speak to you in this language without leave, but I will ask it:" That having obtained it, she conversed with him once, when she told him, that she should rather have wished him to marry her sister Henrietta: That after this conversation, perhaps on some tokens which he gave of liking to see her at the theatre, he was privately desired to speak to her no more, because it was the fashion in Spain to poison queens' gallants. "After this charitable hint," it is added, "he never talked with her again, nor could he even see her plainly, for she was never at the theatre but in a close box."*

These outrageous demonstrations of a jealousy which must have been much more political than conjugal,—since nothing was more notorious than the libertinism of Philip III. and his neglect of his consort,—could not fail highly to irritate the prince of Wales, and it is evident from many signs, that in breaking the match and urging on a war with Spain, he was strongly impelled by passions of his own, not merely swayed by the representations or persuasions of Buckingham. Charles, in fact, was far from inheriting the pliancy of his father's disposition, or his consequent propensity to favoritism; and whatever hold Buckingham might gradually gain upon his affections, faith is due to the declaration once made by himself when king, that the capacity in which the duke was received and valued by him was solely that of a servant who distinguished himself by a prompt and effective performance of his master's will. The prince and his attendant returned however to England, strongly united by the bond of a

* *Mem. pour servir à l'Hist. d'Anne d'Autriche par Me. de Motteville.* Tom. i. p. 284, edit. d'Amsterdam, 1750.

common enmity and a common purpose of revenge ; while the views of private interest which quickened the zeal of the duke appear to have escaped entirely the penetration of the prince.

The overflowing joy of king James at the sight of his favorite bringing back to him his son, for whose freedom his fears had been studiously excited, prepared him to lend an indulgent ear to the plausible tale by which they sought to exculpate themselves for bringing failure on the project which had cost him years of negotiation and still lay nearest to his heart ; and after venting his anger in a few chiding speeches, he remained silenced, though neither satisfied nor convinced. A parliament was soon after assembled by the desire of Buckingham, when Charles, in a conference of the two houses, warmly expressed his confidence in the duke, and his gratitude towards him for his care over him in Spain, and especially for bringing him safe out of it ; and ended by referring the parliament to him for a relation of the causes of the rupture. It was in Charles's own presence that this relation was delivered, charging the Spanish court with bad faith in the treaty from beginning to end, and the earl of Bristol with corrupt participation in its treachery, and also with attempts to persuade the prince to change his religion. All historians admit, and the original letters of Buckingham to king James demonstrate, that this narration was not merely tinged by the coloring of passion and prejudice, but absolutely distorted and falsified, both in its general bearings and in many important particulars, and yet there was no scruple on the part of the prince to sanction the whole, both directly, by a solemn and public attestation to its truth, and indirectly by concurring with the efforts of the duke to impress upon parliament the necessity of an immediate commencement of hostilities against Spain.

In all the subsequent measures employed by Buckingham to crush the party in the council opposed to the war, Charles was deeply implicated. On the impeachment of lord high treasurer Middlesex, entered upon in defiance of the most earnest entreaties and warnings of his royal father, he took the highly unbecoming step of soliciting many of the peers, as a favor to himself, to give their voices against him ; and he lent himself to all the arbitrary and iniquitous means by which the duke succeeded in stifling the evidence which that honorable and injured statesman the earl of Bristol, was eager to produce to the king and parliament in vindication of his own

integrity and that of the court of Madrid. He took less part in those flatteries addressed to the popular party in the house of commons, and the puritanical party in the church, by which Buckingham rendered himself for a few moments the hero of opposition,—for to these arts of government the temper and the maxims of Charles were equally adverse ; yet he deigned to appear on some occasions in the character of a friend to the power and jurisdiction of parliaments, and he suffered the duke to place about him in the office of a chaplain Dr. Preston, a leading presbyterian divine whom it was judged important to gain over.

Charles's characteristic quality of pertinacious adherence to his own principles or opinions, now began strongly to display itself to those who approached him. In the diary of archbishop Laud we find the following entry dated Feb. 1, 1624. "I stood by the most illustrious prince Charles at dinner. He was then very merry, and talked of many things occasionally with his attendants. Among other things he said, that if he were necessitated to take any particular *profession of life*, he could not be a lawyer ; adding his reasons. "I cannot," saith he, "defend a bad, nor yield in a good cause." The prelate subjoins an ill-omened wish that he might *thus* forever prosper in his great affairs !

Charles is recorded to have said publicly on his return from Madrid, that though he had never loved popery, he had not hated it till he saw it in the court of Spain ; but as if to show that he hated it only there, he had scarcely freed himself from the snares of one catholic marriage-treaty, than he rushed with his eyes open into those of another. In contemplation of a rupture with Spain, it was indeed obvious policy to seek the alliance of France ; and Buckingham on his return to England lost no time in dispatching the most favored of his adherents, Henry Rich, now created lord Kensington and soon after earl of Holland, as ambassador extraordinary to Louis XIII. As the treaty for the hand of the infanta was still ostensibly carried on, by virtue of powers remaining with the earl of Bristol, the conclusion of a league offensive and defensive between the two countries was the only object of the mission as yet avowed, but Rich was also charged secretly to sound the disposition of the French court towards a matrimonial connection between the prince of Wales and Henrietta Maria daughter of Henry IV. and sister of the reigning monarch. These hasty addresses were as little consistent with true policy as with the personal honor of Charles

who authorized them. They apprised the French ministry that the breach of the Spanish treaty was regarded as irreparable, and taught them to set a higher price on the friendship of their sovereign, now doubly important to the British monarch. Mary de' Medici, the queen mother, applied herself to improve the opportunity with all the craft and spirit of intrigue which distinguished her. She employed agents to negotiate for the marriage in England without the privity of the king her son, and whilst the French ministers skilfully held back from the conclusion of the political alliance, no means were spared or scrupled by herself or her agents to hasten on the nuptials.

If ever the welfare and honor of the nation required that the blandishments and refinements of French intrigue should be encountered on the part of an English negotiator by a steady zeal for the interests of his king and country ; by experience, sagacity, extensive political knowledge, and a probity beyond suspicion, it was certainly on this occasion ; when a marriage involving the spiritual as well as temporal interests of the royal line, was to be combined with a league on which hung the fortunes of the exiled Palatine and the other dispossessed princes of Germany, of the French Hugonots, and in fact of the whole protestant interest. But the weaknesses and partialities of James had caused an age of statesmen to be succeeded by one of mere courtiers and favorites, by whom the most important public functions were at this juncture nearly monopolized. Of this base class Holland was one of the basest. Personal beauty and frivolous accomplishments, with great suppleness and a talent for court intrigue, had been his passports to the favor of the king and of Buckingham, and raised him from the state of a needy younger brother of a dishonored house to fortune, honors and influence. To preserve or augment these advantages through the same arts which had served for their acquisition, was now his care ; and when once he had assured himself, by means of the duchess de Chevreuse who was in love with him, that his own influence with the future queen was secured, no considerations of a public nature led him to embarrass the progress of the negotiations with rigid stipulations or jealous scruples. He has left us the measure of his mind in the following and similar passages of his fulsome dispatches addressed to the prince.

“ I find here so infinite a value of your person and virtue, as what instrument soever, myself one of the very weakest,

having some commands as they imagine from you, shall receive excess of honor from them. They will not conceive me, scarce receive me, but as a public instrument for the service of an alliance that above all things in this world they do so earnestly desire. The queen-mother hath expressed, as far as she thinks is fit for the honor of her daughter, great good will in it. And sir, if your intentions proceed this way, (as by many reasons of state and wisdom there is cause now rather to press it than slacken it) you will find a lady of as much loveliness and sweetness to deserve your affection as any creature under heaven can do. And sir, by all her fashions since my being here, and by what I hear from the ladies, it is most visible to me her infinite value and respect unto you. Sir, I say not this to betray your belief, but from a true observation and knowledge of this to be so : I tell you this, and must somewhat more in the way of observation of the person of Madame ; for the impressions I had of her were but ordinary, but the amazement extraordinary to find her, as I protest to God I did, the sweetest creature in France. Her growth is very little short of her age, and her wisdom infinitely beyond it. I heard her converse with her mother and the ladies about her with extraordinary discretion and quickness. She dances, the which I am a witness of, as well as ever I saw any creature. They say she sings most sweetly ; I am sure she looks so."

"I cannot but make you continual repetitions of the value you have here to be, as justly we know you, the most complete young prince and person in the world. This reputation hath begotten in the sweet princess Madame so infinite an affection to your fame, as she could not contain herself from a passionate desiring to see your picture, the shadow of that person so honored, and not knowing by what means to compass it, it being worn about my neck,—for though others, as the queen and princess, would open it and consider it, the which ever brought forth admiration from them, yet durst not this poor young lady look any otherwise on it than afar off, whose heart was nearer it than any of the others that did most gaze upon it :—But at the last, rather than want that sight which she was so impatient of, she desired the gentlewoman of the house where I am lodged, that had been her servant, to borrow of me the picture in all the secrecy that may be, and bring it unto her, saying, she could not want that curiosity, as well as others, towards a person of his infinite reputation. As soon as she saw the party that brought

it, she retired into her cabinet, calling only her in ; where she opened the picture in such haste as showed a true picture of her passion, blushing in the instant at her own guiltiness. She kept it an hour in her hands, and when she returned it, she gave it many praises of your person. Sir, this is a business so fit for your secrecy, as I know it shall never go further than unto the king your father, my lord the duke of Buckingham, and my lord of Carlisle's knowledge. A tenderness in this is honorable ; for I would rather die a thousand times than it should be published, since I am by this young lady trusted, that is for beauty and goodness an angel." Having thus attempted to excite the passions by flattering the vanity of the prince, he adds, "I have received from my lord of Buckingham an advertisement that your highness's opinion is, to treat of the general league first, that will prepare the other. Sir, whatsoever shall be propounded will have a noble acceptance ; though this give me leave to tell you, when you are free, as by the next news we shall know you to be, they will expect that upon those declarations they have already made towards that particularity of the alliance, that your highness will go that readier and nearer way to unite and fasten by that knot the affection of these kingdoms."*

The better judgment of Charles himself in this matter being thus overruled by the management of Holland, in concert with the French court, the marriage was propounded in form before a single step was taken towards forming the league, and matters were in this state when the Spanish treaty being broken off in form, Hay, created earl of Carlisle on the occasion, was joined in commission with Holland to conclude the affair.

The earl of Carlisle, though preeminent even among the courtiers of James for the extravagance, and even absurdity, of his pomp and profusion, had yet some claims to the character of a man of business and a statesman. His Scottish birth and presbyterian education had nourished in him a profound distrust and dread of the encroaching spirit of the Romish church, and he penetrated with sagacity and opposed with spirit in several instances the insidious manœuvres of the French. But he was ill-supported at home ; for the articles implying a suspension of the penal laws against the catholics, which in any treaty with a foreign power ought at once to have been

* *Cabala*, pp. 287, 288, fol. edit.

set aside as unconstitutional, and therefore no object of negotiation, were conceded without hesitation or scruple by the king and the prince; and apparently from the disgraceful cause assigned by a French diplomatist; that "there was originally no intention in these contracting parties to keep their engagements, but to promise all that should be required, and to keep only what suited them."*

To the reproach of all protestant principle, the earl of Nithsdale, a catholic, was sent to Rome to solicit a dispensation for the marriage, and to cultivate a future good understanding with the sovereign pontif;—to the disgrace of all political wisdom, verbal assurances of cooperation on the part of France in measures for the restoration of the Palatinate were accepted as a satisfactory security. Yet it is evident from the following passage of a letter from the earl of Holland to Buckingham, that Charles himself still manifested reluctance to assume the character of a suitor. "I beseech you, put the prince in mind to send his mistress a letter: And though I might, as the first instrument employed in his amours, expect the honor to deliver it, yet will I not give my colleague that cause of envy. But if his highness will write a private letter to Madame, and in it express some particular trust of me, and that my relations of her have increased his passion and affection unto her service, I shall receive much honor and some right, since I only have expressed what concerned his passion and affection towards her."†

Whilst the treaty was yet pending, a change in the French ministry placed cardinal Richelieu at the head of affairs, who contrived to impede its ratification till he had succeeded in extorting new concessions from the facility or treachery of the English ministry. The claim of the princes of the Roman church to take precedence of all but kings, caused at first some perplexity in point of etiquette, which could only be solved by Richelieu's feigning sickness and receiving the visit of the earl of Carlisle in bed; and the cardinal further exhibited his own arrogance and offended that of the dictator of the English court, by addressing a letter to "Monsieur"—not Monseigneur—"le duc de Buckingham;" who retorted by directing his answer to "Monsieur le cardinal de Richelieu." This impertinent squabble of punctilio might even have gone on to occasion the breach of the treaty, had not both parties

* *Ambassade en Angleterre du Maréchal de Bassompierre.*

† *Cabala*, p. 231.

had their private reasons to desire its completion, and therefore condescended to a reconciliation.

All the stipulations in behalf of the catholic religion which had been accorded in the late negotiation with Spain, were now successfully demanded by France ; on other points some things additional were granted ; splendid preparations for the nuptials were made on both sides of the water, and they were on the eve of celebration when the death of his royal father on March 27, 1625, elevated the destined bridegroom from the expectancy of a throne to its occupation.

CHAPTER II.

1625.

State of England at the accession of Charles.—Voyages of discovery and extension of commerce.—Colonies founded in North America.—Commerce ill protected by king James.—Englishmen made captive by Barbary corsairs.—Dunkirk pirates.—Low state of the navy.—Rapid progress of luxury.—Court entertainments.—Country hospitality.—Luxury in furniture.—Tapestry.—Paintings.—Rich materials of furniture.—Inigo Jones's architecture.—Taste for sculpture revived.—Collections of the earl of Arundel and duke of Buckingham.—Researches of sir Thomas Roe for antiques at Constantinople.—State of literature.—Translations.—Books of voyages and travels.—Hackluyt.—Purchas's Pilgrimage.—Sandys's Travels.—History.—Camden.—Speed.—Daniel.—Biography.—Lord Herbert of Cherbury.—Bacon.—Antiquities.—Spelman.—Cotton.—Selden and Usher.—Theology.—Donne.—Hall.—Bishop Andrews.—State of Poetry.—Donne.—Waller.—Suckling.—Carew.—Ben Johnson.—His criticisms on contemporary poets.—Massinger.—Shirley.—Decline of the drama.—Extended plans of education.—Peacham's Complete Gentleman.—Lord Herbert's plan of study.—Female accomplishments.—Sir M. Hale on education of daughters—of sons.—Condition of younger brothers.—Art of Thriving.—Disuse of tilts and tournaments.—Duelling.—Effects of wearing weapons.—Ladies cudgel their maids.—Court diversions.—Strict separation of ranks, broken down by king James.—Effects of increasing the number of peers.—Concluding remarks.

THE undisputed sovereignty of the British isles, appears at first sight an inheritance which, well improved, could not fail to render its possessor, abroad and at home, one of the most powerful princes of Europe ; but in order to appreciate correctly the circumstances favorable or adverse under which it descended upon Charles I., it will be proper to take a general view of the state of manners, commerce, society and literature at the period of his accession.

James I. had received the kingdom of England from the hands of his illustrious predecessor rich in resources of every kind, the accumulation of five and forty years of a wise,

frugal, and vigilant administration. The union of the British crowns in his person, though it brought little direct addition to the wealth of England, was yet an accession highly conducive to its internal strength and tranquillity, and eventually to its general prosperity ; and whilst the heedless prodigality of this prince had impoverished the crown, by the alienation of lands or the anticipation of its other principal sources of independent revenue, his profound peace of two and twenty years had afforded to his subjects leisure and ample facilities for the acquisition of wealth and the culture of every art by which human life is supported and adorned ; and the active genius of the people had largely availed itself of these advantages.

Weary of the monotony and stagnation of a pacific court, the enterprising spirits of the time, both under Elizabeth and James, had eagerly thrown themselves into voyages of discovery, which had sometimes indeed degenerated into mere buccaneering expeditions against the Spanish settlements in the new found regions of the West ; but of which the general and ultimate results were of incalculable importance in promoting, together with the extension of trade, the progress of knowledge, and of civilization. The same spirit of adventure had guided English prowls in the track opened by the Portuguese to the shores of Hindostan, and impelled English travellers to explore by land the kingdoms of western Asia. It was about the close of the reign of Elizabeth that the learned Hackluyt was enabled thus to sum up, with becoming pride, the results of all the missions of discovery and commerce sent forth either under the immediate auspices of the queen, or those of the trading companies established by her.

“ Which of the kings of this land before her majesty had their banners ever seen in the Caspian sea ? Which of them hath ever dealt with the emperor of Persia, as her majesty hath done, and obtained for her merchants large and loving privileges ? Who ever saw before this regiment an English lieger in the stately porch of the grand Seigneur of Constantinople ? Who ever found English consuls and agents at Tripolis in Syria, at Aleppo, at Babylon, at Balsara, and which is more, who ever heard of Englishmen at Goa before now ? What English ships did heretofore ever anchor in the mighty river of Plate, pass and repass the unpassable, in former opinion, strait of Magellan, range along the coast of Chili, Peru, and all the backside of Nova Hispania, further

than any Christian ever passed, traverse the mighty breadth of the South sea, land upon the Luzones in despite of the enemy, enter into alliance, amity and traffic with the prince of the Moluccas and the isle of Java, double the famous Cape of Bona Speranza, arrive at the isle of Santa Helena, and last of all return home most richly laden with the commodities of China, as the subject's of this now flourishing monarchy have done ?”*

During the reign of James all the marts of trade here indicated continued to be frequented with increasing diligence, and additional ones were opened. The woollen cloths of England, as well as its tin and its copper, were now bartered for the gold and raw silk of Persia ; an intercourse was opened with the great Mogul ; and English ships maintained on the coast of Coramandel a carrying trade of sufficient importance strongly to excite the jealousy of the Portuguese.

The first attempts at colonization in the New World, of which Raleigh was the leader, had failed ; in fact, at the end of the sixteenth century England was not yet possessed of a single foreign settlement, but since that period prosperous plantations had been formed on various points of the North American coast. Lord Delaware, a catholic, had established one in Virginia ; governor Guy had formed another on the island of Newfoundland ; part of a congregation of persecuted independents, who had previously taken refuge in Holland, had laid the foundations of the important colony of New Plymouth, and a small band of emigrant puritans had planted themselves in New Hampshire. But all these were private undertakings, prompted by the love of enterprise and the hope of gain, by public spirit, or by the want of religious liberty ; and to which king James contributed nothing but his credentials or letters patent. During the whole of his reign the merchants and naval adventurers complained heavily of the deficiency of that naval protection which it was the duty of the state to have afforded them.

Amid the important demands of favorite courtiers on a failing exchequer, this spiritless prince had suffered that glory and safeguard of the country, its navy, to sink into a state of feebleness and decay which exposed navigation to calamities and insults altogether unprecedented. For want of a few cruisers to repress their audacity, the Barbary corsairs made prey of English ships not in the Levant only, but in the nar-

* *Hackluyt's Voyages*, Epistle Dedicatorie.

row sens, actually in sight of the British coasts; and the crews and passengers of the captured vessels were either massacred without distinction by the pirates, or carried away into slavery and afterwards compelled to man the Moorish galleys and aid in the commission of depredation and outrage upon their fellow-christians.

It is mentioned by sir Thomas Roe, sent ambassador to Constantinople in 1621, that touching at the port of Messina in his way, he found in the galleys there fifteen English, who cried out to him as he passed to compassionate them: on inquiry he found that two were renegades, but that the rest were captives originally pressed by the Turks into their service, who being taken on board their rovers by the Spaniards, had been by them reduced, like their shipmates, to the condition of galley-slaves. The ambassador asked and obtained the liberation of these men from the viceroy of Sicily, but as a special favor. Many captives were redeemed by Roe during his residence at the Porte, and he found it necessary to conclude a disgraceful kind of treaty with the Dey of Algiers for the protection of British commerce in the Mediterranean, brought to the brink of destruction by the unpunished ravages of these barbarians. After the commencement of the war with Spain, the Channel was likewise infested by the privateers of Dunkirk, who made many captures off the coasts of England and Ireland. At this period therefore the British navy had reached its lowest stage of declension.

The progress of luxury in dress, diet, furniture and decorations of every kind, had fully kept pace with the extension of commerce and the increase of national wealth.

In the article of court-dresses, especially those of men, the extravagance was such as no succeeding times have attempted to emulate. King James, amongst his other weaknesses, had a childish admiration of what was then called *bravery*. His favorites could scarcely by their utmost efforts satisfy his demands upon them for splendor and variety in their personal decorations; and the common phrase of a man's "wearing his estate on his back," hyperbolic as it sounds in modern ears, could scarcely be called an exaggeration at a time when a court suit of the duke of Buckingham's was estimated at 80,000*l*.

In their state entertainments the tables of the great groaned under lofty piles of dishes of massy silver, replenished with the most delicate as well as substantial viands, the cost of which was enhanced by a wonderfully elaborate art of con-

sectionary, and by the lavish use of ambergris, and sometimes of musk and other scents to fume and flavor the meats and wines. In conformity with this mode Milton describes,

“ A table richly spread in regal mode,
With dishes piled and meats of noblest sort
And savor, beasts of chase or fowl of game,
In pastry built, or from the spit, or boil'd,
Gris-amber steam'd”

and

. “ The wine
That *fragrant smell diffused*.”*

Thus also Beaumont and Fletcher,

. “ Be sure
The wines be lusty, light, and full of spirit,
And *amber'd* all.”†

Magisterial of pearl was likewise employed as an article of cookery. It is observable however, that whilst the court gave the example of this wantonness and absurdity of pomp and luxury, the simple old English hospitality in its primitive forms was still maintained by the independent portion of the nobility, who lived secluded in their own demesnes in the midst of hereditary tenants and retainers. The courtly poet Carew, several years after the accession of Charles I., thus describes in an epistle the feasting in the great hall of Wrest, the seat of the earls of Kent, in Bedfordshire ; which he describes as a mansion unadorned with carved marble or porphyry, with lofty chimney-pieces or Doric or Corinthian pillars, but built “ for hospitality.”

“ The lord and lady of this place delight
Rather to be in act than seem in sight.
Instead of statues to adorn their wall,
They throng with living men their merry hall,
Where, at large tables fill'd with wholesome meats,
The servant, tenant, and kind neighbour eats :
Some of that rank, spun of a finer thread,
Are with the women, steward and chaplain, fed
With daintier cates ; others of better note,

* *Par. Regained*, B. ii.

† *Custom of the Country*, A. iii. Sc. 2.

Whom wealth, parts, office, or the herald's coat
 Have severed from the common, freely sit
 At the lord's table, whose spread sides admit
 A large access of friends to fill those seats
 Of his capacious *sickle*,* fill'd with meats
 Of choicest relish, till his oaken back
 Under the load of piled-up dishes crack."

The nobility and leading gentry of a former age, whose rude ideas of grandeur were comprised in a retinue of two or three hundred servants and retainers, and a mansion capable of lodging and entertaining half a county, had reared enormous piles of building, court behind court, with long suites of galleries and saloons, which when built they knew not how suitably to furnish or adorn ; but taste and luxury were now busily at work upon their decoration.

Under the patronage of king James, Sir Francis Crane had established at Mortlake in Surrey a manufactory where the weaving of tapestry was carried to great perfection ; designs both in history and grotesque being supplied by a native of Denmark named Cleyne, an admirable artist, patronized by the prince. In costliness its fabrics must apparently have vied with the finest of the Netherlands. Charles, in the first year of his reign, acknowledged a debt to Crane of 6000*l.* for three sets of "gold hangings." Archbishop Williams paid him 2500*l.* for a piece representing the Four Seasons, and the more affluent of the nobility purchased of him at proportional prices various rich hangings "wrought in silk."

Foreign artists of considerable eminence were employed to paint walls, staircases, and ceilings with figures and arabesques, and collections of pictures began to be formed. Fine carving and gilding was bestowed on various articles of furniture ; and with such profusion were the richest materials brought into use, that state beds of gold and silver tissue, embroidered velvet, or silk damask fringed with gold ; silk carpets from Persia ; toilets covered with ornamental pieces of dressing plate ; tables of massive silver richly embossed with figures ; and enormous cabinets elaborately carved in ebony, became the familiar ornaments of the principal mansions. Inigo Jones, with taste matured by a second residence in Italy, had begun to supply designs of edifices, both public and private, in which the Greek or Roman style in its purity and beauty, had superseded the incongruous mixtures of his ear-

* A curved dining-table.

lier works ; and king James, purposing to commit to him the task of rebuilding the ancient palace of Whitehall, had already caused him to execute the only part of the building which was ever completed ; that noble banqueting house on the ceiling of which Rubens afterwards painted the apotheosis of the monarch.

The art of sculpture could scarcely be said to exist in the land. Tombs and monuments executed by mere masons and stone-cutters, and gaudily bedecked with colors and gilding, marked the miserable declension of this branch since those ages when the arts and artists of Rome had found free entrance as followers in the train of her religion. But the deficiency was felt, and steps had already been taken for en-

the country with a store of those immortal models be-
 ed to the world by Grecian antiquity.

The earl of Arundel, the earliest and greatest of English collectors, was eagerly prosecuting his inquiries after the remains of ancient art both in Europe and Asia ; and the earl of Buckingham, whether from genuine taste for these objects, or from that passion for every kind of magnificence which sometimes assumes its semblance, trod zealously in his footsteps. Sir Thomas Roe, when at Constantinople, acted as a kind of factor to both these noblemen for the discovery and purchase of marbles, coins, and other curiosities, and some interesting details on these matters are supplied by his correspondence. It appears that an extremely skilful and enterprising agent had been sent out by the earl of Arundel specially to explore the continent and islands of Greece, and the shores of Syria and Lesser Asia ; the fruits of whose labors were no less than 200 pieces of sculpture. The researches of sir Thomas Roe on behalf of the duke of Buckingham, were extended by means of consuls, Greek priests, and other agents, from Smyrna to Prusa, Troy, and Pergamus ; to Sinope on the Euxine ; and zealously prosecuted along the coasts of Thessaly, and at Delphi, Delos, Corinth, Thebes, Athens, Sparta, and many other Grecian cities and islands ; and a splendid collection seems to have been the result of these efforts ; although it is stated that, between the scruples of the Turks and the avidity of the Venetians, not a single statue was left standing, and all attempts to gain permission to make excavations were encountered by the usual jealousies of barbarians, who always imagine hidden treasure to be the real object of such researches.

At Constantinople nothing was found worth removing ex-

cepting some groups in alto rilievo over the golden gate of the city, placed there by its founder; and these sir Thomas Roe certainly spared no exertions to obtain. To ask permission to deface the principal entrance of the Grand Seigneur's palace appeared too audacious; the size of the pieces made it impracticable to carry them away clandestinely, and he therefore adopted the expedient of hiring a mufti to demand their removal on the plea of religion; but it so happened that the government was not at this juncture disposed to listen to scruples of this nature. At length, during a crisis of the Turkish treasury, the ambassador took courage, and offered a sum for the marbles to the great treasurer himself. The bribe was cordially accepted; but, on the first attempt to take down the figures, a fancy seized the people that they were enchanted, and that the Christians knew of some old prophecy by which the fall of the city was connected with their removal. A violent tumult arose, the treasurer was obliged to desist for fear of his life, and the ambassador consoled himself under his disappointment by observing, that though he failed to obtain the figures, he had almost raised an insurrection in that part of the city.

Roe was likewise commissioned to procure Greek manuscripts of the Scriptures and the Fathers for king James and archbishop Abbot, but he met with fewer objects of this nature than he had hoped; it was, however, through his hands that the celebrated Alexandrian manuscript of the Old and New Testament was transmitted by Cyril patriarch of Constantinople to Charles I.

The ambassador collected coins and medals on his own account, a catalogue of which he sent to that prodigal but accomplished woman Lucy countess of Bedford, accompanied with a dissertation which could only be addressed with propriety to a respectable proficient both in numismatic science and the Latin language.

A slight sketch of the state of literature will suffice to mark the important station which it now occupied in the general system of life and manners.

Not in England alone, but throughout lettered Europe, knowledge had been long perceived by men of sagacity to be in a progressive and improving state. In the works of Acontius, a man of abilities and various learning, who wrote under the patronage of queen Elizabeth, the following striking observation occurs. "I am aware that my lot is cast in an age of very great cultivation; yet I am not so much awed by the

judgments which now appear to rule, as alarmed at the rising lights of an age of still greater cultivation which I anticipate." "I believe," says Bayle in commenting on this sentiment, "that the sixteenth century produced a greater number of men of learning than the seventeenth, yet the former age was not nearly so enlightened as the latter. During the reign of criticism and philology several prodigies of erudition appeared throughout Europe. The study of the new philosophy and of modern languages having introduced a different taste, that vast and profound literature was no longer seen, but on the other hand a finer taste has been diffused over the republic of letters, attended by a more accurate discernment. Men are now less learned and more able."*

In conformity with these remarks, it is evident, that at the period of Charles's accession a lively curiosity after new and various knowledge had begun to take place in England of that exclusive devotion to the ancients which had prevailed from the time of the revival of letters; that few men aimed at distinction by emulating the cumbrous erudition of the founders of modern scholarship; and that general information began to be more prized than what is technically called learning.

We find it affirmed, that few works of merit appeared in any country of Europe which were not speedily clothed in an English dress. Books of voyages and travels were printed in considerable numbers, and read with avidity. Besides all the separate relations published by voyages, two large and important collections had appeared; that by Hackluyt, a person of great knowledge and diligence in his own line of pursuit, who had been appointed lecturer on geography at Oxford, and was the first to introduce maps, globes and spheres into the common schools, and "Purchas his Pilgrimage," otherwise called "Hackluytus Posthumus;" a voluminous compilation by a chaplain of archbishop Abbots', designed to comprise whatever had been related concerning the religions of all nations, from the earliest times.

That learned and accurate traveller George Sandys, had communicated to the public much information both on the classical antiquities and the modern state of Italy, Greece, Turkey in Europe, Palestine and Egypt. Knowles had published an esteemed history of the Turks, which has found several continuators; and there had been many val-

* *Dict. de Bayle, Art. Aconce.*

uable contributions to national history. Camden had completed his *Annals of queen Elizabeth*, and made considerable progress in those of her successor, before his hand was arrested by death : Speed had compiled a meritorious chronicle and that estimable man and writer Samuel Daniel had published a history of England remarkable for judgment and good sense, for purity of style, and for the novelty of commencing with the Norman conquest, instead of the Deluge, or the landing of Brute the Trojan, the usual starting-posts of the chroniclers. The life of Henry VIII. by lord Herbert of Cherbury, and above all, that of Henry VII. by lord Bacon, had afforded excellent models in this kind of writing. Antiquities, general and national, civil and ecclesiastical, were diligently and ably cultivated by Spelman, the restorer of Anglo-saxon literature, by sir Robert Cotton, who was likewise occupied in the laborious work of collecting his noble library of manuscripts, and by Selden and Usher, those great names in European literature. Respecting theology, it is sufficient in this place to advert to the well-known fact, that religious controversy was the mania of the age. A bare list of the writers in divinity during the reign of James, with the titles of their works, would make of itself a volume. Never was the warfare so keen between popery and protestantism, or the feud so active between the Calvinistic and Arminian parties within the church itself. The country could never before boast of so numerous a body of learned divines or attractive preachers ; but the pedantry, the quaintness, the labored subtilty, and, it must be added, the solemn and superstitious trifling with which they abound, render the once admired productions of Donne, of Hall, of bishop Andrews and their followers, signal examples of the excess to which false taste and judgment may be carried by men of undoubted talents in an age of erudition.

The same frigid and unnatural style prevailed in verse as in prose ; Donne had exhibited his quaint conceits in satires and amatory pieces before he had introduced them into sermons ; they had gained for him the title of the first poet of the age, and that the fashion of admiring him was not yet past is evident from the circumstance that Cowley, who at the end of James's reign was still in his childhood, formed his style in great measure on this unfortunate model. But the graces of harmony and diction make too essential a part of the pleasure of poetry to be generally, or for a long period discarded ; and in little more

than twenty years after the death of Spenser, the master of melody to our elder school of poets, Waller was prelude to the strains of Dryden and of Pope. Purity and sweetness of numbers seemed in Waller a free gift of the muses; for his juvenile celebration of the escape of the prince of Wales from shipwreck on his return from Spain, is scarcely excelled in these respects by any of his more mature productions. Suckling was beginning to tune his verse to the harmony of Waller, for which he seems to have abandoned the imitation of Donne; and Carew and a numerous troop of gentlemen-writers prepared to hail the accession of a monarch whose court was to be the asylum of the arts and the home of the graces.

Ben Jonson, whose extensive learning, vigorous judgment and classic taste, had caused him to be revered as the great arbiter of literary claims, still presided with absolute sway over the circle of lettered courtiers and rising wits, though far in the wane both of life and genius; and in that collection of miscellaneous remarks called his Discoveries, we find him thus aptly characterizing the rival schools of verse which were at this time contending for the mastery. "You have others that labor only to ostentation, and are ever more busy about the colors and surface of a work than in the matter and foundation; for that is hid, the other is seen. Others that in composition are nothing but what is rough and broken. *Quæ per salebras altaque saxa cadunt*. And if it would come gently, they trouble it of purpose. They would not have it run without rubs; as if that style were more strong and manly that stroke the ear with a kind of unevenness. These men err not by chance, but knowingly and willingly; they are like men that affect a fashion by themselves, have some singularity in a ruff, cloke or hatband; or their beards specially cut to provoke beholders and set a mark upon themselves. . . . Others there are that have no composition at all; but a kind of tuning and rhyming fall in what they write. It runs and slides, and only makes a sound. Women's poets they are called, as you have women's taylor's.

They write a verse as smooth, as soft as cream,
In which there is no torrent, nor scarce stream.

You may sound these wits and find the depth of them with your middle finger. They are cream-bowl, or but puddle deep."

The prevalent affectation of wit is another object of his satire. "I do hear them say often, some men are not witty, because they are not everywhere witty; than which nothing can be more foolish. . . . But now nothing is good that is natural. Right and natural language seems to have the least of wit in it; that which is written and tortured is counted the more exquisite. . . . Nothing is fashionable till it be deformed, and this is to write like a gentleman. All must be as affected and preposterous as our gallants' clothes, sweetbags and night dressings; in which you would think our men lay in like ladies, it is so curious."

The aged poet repeats the reproaches familiar to the masters of every art in every age, of the ignorant and erroneous judgment of the multitude. "If it were put to the question of the water-rimer's works against Spenser, I doubt not," says he, "but they would find more suffrages:" and he concludes with the complaint that "Poetry in this latter age hath proved but a mean mistress to such as have wholly addicted themselves to her," though "they who have but saluted her on the bye, and now and then rendered their visits, she hath done much for, and advanced in the way of their own professions, both the law and the gospel, beyond all they could have hoped or done for themselves without her favor."

After the death of Shakespeare, no one had appeared to contest the supremacy of Jonson in the drama, till Massinger printed in 1622 his noble tragedy of the Virgin Martyr: the drama in fact was rapidly declining from its state of unrivalled prosperity and glory; and Shirley, the immediate successor of Massinger, was destined to close the long and brilliant catalogue of the masters of the earliest school of English dramatists.

Among the first and most natural results of the intellectual progress of the age, was an extension of the established plan of education, as far at least as respected youths of family and fortune exempted by their station from an observance of the routine of professional instruction. In Peacham's "Complete Gentleman," addressed to his pupil Thomas Howard, fourth son of the earl of Arundel, we possess a summary of the acquirements at this time necessary to a man of quality desirous of doing honor to his rank, interesting from the topics of comparison and reflection which it is formed to suggest. This writer treats in some preliminary chapters, on the duties of parents to their children respecting education, and points out prevailing errors. He stigmatizes the class of

schoolmasters as often ignorant and incompetent, and generally chargeable with a high degree of ill-manners and even barbarity towards their pupils. Ingenuous youths, he well observes, cannot brook such contempt as to be called by opprobrious names, and “which is more ungentlemanly, nay barbarous and inhumane, pulled by the ears, lashed over the face, beaten about the head with the great end of the rod, smitten upon the lips for every slight offence with the ferula,—not offered to their fathers’ scullions at home.” Domestic tutors, however, he represents as usually still worse; ignorant and mean-spirited persons, engaged by sordid parents at a pitiful salary, and encouraged to expect their reward from some family-living to be bestowed as the meed of their servility and false indulgence.

Some parents he blames for the vanity or inconsideration which moved them to send to the universities “young things of twelve, thirteen, or fourteen, that have no more care than to expect the carrier, and where to sup on Fridays and fasting-nights: no further thought of study than to trim up their studies with pictures, and to place the fairest books in open view, which, poor lads, they scarce ever opened, or understand not.” “Other fathers, if they perceive any wildness or unstayedness in their children,” hastily despairing of their “ever proving scholars or fit for any thing else, to mend the matter, send them either to the court to serve as pages, or into France and Italy to see fashions and mend their manners, where they become ten times worse.”

The first branches of study of which he treats are, “Style and History,” which he joins, seeming to regard a familiarity with correct and elegant writers as the chief advantage to be derived from the perusal of the Latin and English historians, the only ones of whom he makes mention.

Cosmography, or what would now be termed geography and the use of the globes, he earnestly recommends and shortly treats of; after which he proceeds to geometry. Under this head he amuses his disciple with an account of several ingenious mechanical toys, ancient and modern, and of a “heaven of silver,” showing the motions of all the heavenly bodies, sent by the emperor Ferdinand to Soliman the great Turk; and he endeavours to show the utility of this science to a country gentleman, as connected with a knowledge of land-surveying, building, draining, and the construction of mills and water-works; or, should the bent of his genius prove military, with fortification.

In a chapter on Poetry, he gives brief characters of the principal Latin poets, and a hurried list of the English ones from Chaucer to Spenser. Whilst exhibiting with some complacency his own knowledge of Greek, it is remarkable that he never proposes to his pupil the acquisition even of the rudiments of that language; nor does he recommend to his attention any modern tongue excepting French, though he occasionally quotes Italian. Music he most earnestly recommends, being, as he says, "verily persuaded" that those who love it not "are by nature very ill-disposed, and of such a brutish stupidity, that scarce any thing else that is good and savoureth of virtue is to be found in them." On antiquities, under the three heads of statues, inscriptions, and coins, he is pretty full; nor does he neglect the opportunity of paying a just tribute to the earl of Arundel in the character of a collector. He gives many directions for the practice of "drawing and limning," of which arts he declares himself an earnest votary; but a much more elaborate dissertation follows on the practice of blazonry, which in that age was probably considered as the branch of knowledge most peculiarly appropriated, and as it were professional, to a gentleman. A chapter "On exercises of the body," and another "Of observations military," conclude this course of instruction; the university and foreign travel must then *complete* the *gentleman*.

If we compare this summary, not with our present affluence of knowledge, but with the penury and rudeness of the preceding ages, we shall be struck with the rapid increase of useful and ornamental learning which it implies. It is true indeed that some of the most accomplished individuals for a century preceding; as for example, the English sovereigns, male and female, from Henry VIII. to James I. inclusive, were most of them better classics than the Gentleman of Peacham; and all were skilled in theology; a branch of study totally omitted by this writer; perhaps in consideration of the Roman catholic predilections of the Howard family. But Henry VIII. is said to have been destined to the church, and somewhat of an ecclesiastical education might well be judged fitting for his successors, who were to preside over the national religion; and few, it is probable, of their nobility could have emulated them in these scholastic acquirements. On the other hand, geography, with the elements of astronomy, geometry and mechanics; the study of antiquities, comprising mythology and the knowledge of medals,

and the theory and practice of the arts of design, were parts of learning now almost for the first time enumerated amongst the becoming accomplishments of an English gentleman; and what fruitful sources were here opened of extended utility-and elegant delight!

Lord Herbert of Cherbury, a considerable name in literature and philosophy, in the curious and instructive, though boastful narrative of his own life, which he left to his posterity, has sketched a plan of education varying in many particulars from that of Peacham, and on the whole more extensive, being modelled apparently on his own acquirements. He advises, that after mastering the grammars the pupil should proceed with Greek, in preference to Latin, on account of the excellence of the writers of that language "in all learning." Geography and the state and manners of nations he would have thoroughly learned, and the use of the celestial globe; judicial astrology for general predictions only, as having no power to foreshow particular events; arithmetic and geometry "in some good measure," and rhetoric, and oratory. Of the logic and philosophy of the schools he speaks with the disesteem natural to a follower of Bacon. Like that great man also, he seems much addicted to medical empiricism, boasts of some marvellous cures performed by himself, and enjoins on his descendants the study of drugs in pharmacopœias and antidotaries, and the perusal of the best medical authors from Hippocrates downwards. He speaks of botany as a pursuit highly becoming a gentleman, and beautifully recommends anatomy as a remedy against atheism. In moral philosophy and theology he advises to begin with the *Morals of Aristotle*, as what all schools and churches may agree in, and warmly enforces the general practice of virtue and repentance for all occasional transgressions, as the greatest perfection attainable in this life and the pledge of eternal happiness. On the study of christian divinity he is equally silent with Peacham, but probably from a different cause.

Passing from the accomplishments of the mind to those of the body, he enlarges with much complacency on the exercises which he had "chiefly used," riding the great horse, and fencing. Those which he does not greatly approve are, "riding of running horses," because there is "much cheating in that kind," and hunting, which takes up too much time. "Dicing and carding" he utterly condemns.

Female education, in the higher class, appears to have

shared in the extension given to the objects of liberal pursuit. In classical learning indeed the reign of James seems to have supplied no rivals to the daughters of sir Thomas More and sir Anthony Coke, to Jane Grey, or queen Elizabeth ; but lady Anne Clifford received instructions from Daniel in history, poetry, and general literature ; Lucy Harrington, afterwards countess of Bedford, besides enjoying, as we have seen, the repute of a medalist and a Latin scholar, was celebrated by sir William Temple, long after her death, for the singular skill and taste which she had exercised in laying out the gardens of Moor Park : lady Wroth, born a Sidney, was both herself a writer, and distinguished as a patroness of the learned ; a merit shared by other ladies of rank and fortune. Mrs. Hutchinson, whose admirable Memoirs of her husband bespeak a mind not less adorned by culture than elevated by principle, informs us that at about the age of seven, she “ had at one time eight tutors in several qualities, languages, music, drawing, writing and needle-work.”

Sir Matthew Hale, whose sentiments and manners tended towards puritanical strictness, has traced in his “ Advice to his grandchildren,” and “ Counsels of a father,” a very different plan of instruction and employment for females, which he represents as a return to ancient order from modern extravagance, dissipation and idleness ; and it must be recollected that he was writing in the time of Charles II. He would have them to read well, but “ in the scriptures and good books, not in play-books, romances and love-books.” To learn the use of the needle, but chiefly in useful kinds of works ; others “ more curious” are to be learned, if at all, only to keep them employed and “ out of harm’s way.” “ Excessively chargeable” ones are not to be used. To learn and practise as there is occasion all points of good housewifery, as, “ spinning of linen, the ordering of dairies, and to see to the dressing of meal, salting and dressing of meat, brewing and baking, and to understand the common prices of corn, meat, malt, wool, butter, cheese, and all other household provisions ; and to see and know what stores of all things necessary for the house are in readiness, what and when more are to be provided. To have the prices of linen cloths, stuffs and woollen cloth to cast about to provide all things at the best hand ; to take and keep accounts of all things ; to know the condition of the poultry about the house (for it misbecometh no woman to be a hen-wife.) To cast about how to order your clothes with the most frugality ; to mend them when

they want, and to buy but when it is necessary, and with ready money ; to love to keep at home." .

To compensate this life of household care the sole "recreations of young gentlewomen" which he allows are, "walking abroad in the fields . . . some work with their needle, reading of histories or herbals, setting of flowers or herbs, practising their music."

His plan of instruction for sons is the following. Till eight, English reading only. From eight to sixteen the grammar school. Latin to be thoroughly learned, Greek more slightly. From sixteen to seventeen at the university or under a tutor, more Latin, but chiefly arithmetic, geometry and geodesy. From seventeen to nineteen or twenty, "logic, natural philosophy, and metaphysics, according to the ordinary discipline of the university ;" but after "some systems or late topical or philosophical tracts," the pupil to be chiefly exercised in Aristotle. Afterwards, should he follow no profession, yet to gain some knowledge of divinity, law, and physic, especially anatomy. Also of "husbandry, planting, and ordering of a country farm." He thus recommends a gentleman to live upon his land and cultivate it. "He lives more plentifully, breeds up his children more handsomely and in a way of industry, is better loved in his country, and doth more good in it than he that hath twice the revenue and lives upon his rents, or it may be in the city."

For recreations he advises, reading of history, mathematics, experimental philosophy, nature of trees, plants, or insects, mathematical observations, measuring land ; "nay, the more cleanly exercise of smithery, watchmaking, carpentry, joinery work of all kinds."

A marking feature of the system of manners at this period was the extreme disparity in station and fortune between the eldest son and all the other children of a gentleman's family. The unfortunate condition of a "younger brother" is thus vividly depicted by bishop Earle in his *Microcosmography*.

"His father . . . tasks him to be a gentleman, and leaves him nothing to maintain it. The pride of his house has undone him, which the elder's knighthood must sustain, and his beggary that knighthood. His birth and bringing up will not suffer him to descend to the means to get wealth ; but he stands at the mercy of the world and, which is worse, of his brother. He is something better than the serving-men ; yet they more saucy with him than he bold with the master, who beholds him with a countenance of stern awe, and checks

him oftener than his liveries If his annuity stretch so far, he is sent to the university, and with great heart-burning takes upon him the ministry, as a profession he is condemned to by his ill-fortune. Others take a more crooked path, though the king's highway ; where at length their vizard is plucked off, and they strike fair for Tyburn ; but their brother's pride, not love, gets them a pardon. His last refuge is the Low-countries, where rags and lice are no scandal, where he lives a poor gentleman of a company, and dies without a shirt. The only thing that may better his fortunes is an art he has to make a gentlewoman, wherewith he baits now and then some rich widow, that is hungry after his blood. He is commonly discontented and desperate, and the form of his exclamation is, That churl my brother !"

A tract published in 1636, called "The Art of Thriving," under the form of a dialogue with a Northamptonshire gentleman, furnishes some curious hints of the modes of educating and placing out the portionless sons and daughters of good families. In the first place, the young heir, whilst he is still in his father's power, and tractable to his will, is to be disposed of in marriage "at the highest rate," and the fortune of his wife shared amongst the younger children for their advancement in life. The other sons, according to their abilities or inclinations, are to become divines, lawyers, physicians, "sea or land soldiers," courtiers, mechanics or tradesmen, navigators or husbandmen, and particular directions are added for the course to be pursued, and the patronage to be sought in every line, with intimations of the kind of presents, or "bribes," to be offered to fit persons on proper occasions. A vein of low cunning not unmixed with humor, runs through the whole. The young divine in search of a benefice is to inquire "where the mattins are read with spectacles, or where the good man is lifted up into the pulpit." If he stands for a city living, and preaches a probationary sermon, he is to give the leading citizens "the style of right worshipful, though the best man of the company be but a wine-cooper, and his judgment better in claret than in *concioclerum* a great deal." Of the common lawyer he says, that if he be "sufficiently able in his profession, he shall want no practice, if no practice no profit." With allusion no doubt, to the sway of the Villiers family, he adds ; "The time was that the younger counsel had some such help as to be a favorite, a kindred ; to marry a niece, cousin, or chambermaid. But those days be past, and better supply their rooms."

“Physic,” he says, “with us is a profession can maintain but a few ; and divers of those more indebted to opinion than learning, and (for the most part) better qualified in discouraging of their travails than in discerning patients’ maladies. For it is grown to be a very huswife’s trade, where fortune prevails more than skill.”

“If a land soldier think to thrive and rise, by degrees of service, from a common soldier to a captain in this age, alas, he is much deceived.” He goes on to recommend the Low-countries as the best school of the art military, and mentions that the sale of commissions is there neither illegal nor “markable.”

Respecting the daughters, our author says, “I would have their breeding like the Dutch woman’s cloathing, tending to profit only and comeliness. And though she never have a dancing-schoolmaster, a French tutor nor a Scotch taylor . . . it makes no matter. For working in curious Italian purples, or French borders, it is not worth the while. Let them learn plain works of all kind. . . . Instead of song and music, let them learn cookery and laundry, and instead of reading sir Philip Sidney’s *Arcadia*, let them read the grounds of good huswifery. I like not a female poëtesse at any hand.

“If the mother of them be a good huswife and religiously disposed, let her have the bringing up of one of them. Place the other two forth betimes. . . . The one in the house of some good merchant or citizen of civil and religious government ; the other in the house of some lawyer, some judge, or well-reported justice, or gentleman of the country. . . . In any of these she may learn what belongs to her improvement, for sempstry, confectionary, and all requisites of huswifery. She shall be sure to be restrained from all rank and unfitting liberty. . . . A merchant’s factor, or a citizen’s servant of the better sort, cannot disparage your daughters with their society. And the judges’, lawyers’, and justices’ followers, are not ordinary serving men, but of good breed, and their educations for the most part clerkly Your daughter at home will make a good wife for some yeoman’s eldest son, whose father will be glad to crown his sweating frugality with alliance to such a house of gentry. . . . For your daughter at the merchant’s and her sister, if they can carry it wittily, the city affords them variety. The young factor being fancy-caught in his days of innocence, and before he travel so far into experience as into foreign countries, may lay such a foundation of first love in her bosom as no alteration of cli-

mate can alter. So likewise may Thomas, the foreman of the shop, . . . be entangled and belimed with the like springes. . . . With a little patience your [other] daughter may light upon some counsellor at law, who may be willing to take the young wench, in hope of favor with the old judge. An attorney will be glad to give all his profit of a Michaelmas term but to woo 'her through a crevice. And the parson of the parish, being her lady's chaplain, will forswear eating of the pig for a whole year for such a parcel of gleb land at all times."*

The progress of society was fast leaving behind the manners and institutions of the feudal ages. Ben Jonson in one of his masques, had poetically represented the Genius of Chivalry as starting from a lethargic slumber at the name of prince Henry ; but the revival was transient, and he may be said to have closed his eyes for ever on the tomb of that lamented youth. The lance, nearly disused in actual warfare, was couched no longer in the listed field, henceforth tilts and tournaments were seen no more. That it is to a more general cause than the personal character of king James, whose aversion to war and duelling might be thought likely to extend to the games which were their image, that this cessation is to be ascribed, appears from the fact of their abolition nearly at the same time in France, under that gallant and warlike monarch Henry IV. Marshal Bassompierre, in the journal of his own life, mentions a tilting in the lists which was held in 1605 as the only one during this reign. The marshal on that occasion received a challenge to break three lances in the open field ; an antiquated species of combat of which there had been no example in France for a hundred years. In the trial of skill which ensued, he was dangerously wounded by the glancing of a spear, and the king would never give his consent to the repetition of so dangerous a sport ; nor was the practice revived by his successor.

Though checked by the laudable vigilance of king James and his council, a savage species of duel in which the seconds, often several on a side, were expected to take part with their principals, was still frequent. Nor was this the only relic of primitive ferocity in the manners of the people. It was still the custom for gentlemen to go constantly armed ; and in what manner they often exercised their weapons we may learn from what is said in *Microcosmography* of "a Sergeant or Catch-

* *Somers's Tracts*, vii. 187, *et seq.*

pole.”—“The common way to run *from* him is to run *thorough* him, which is often attempted and achieved, and no man is more beaten out of charity. He is one who makes the streets more dangerous than the highways, and men go better provided in their walks than their journey. He is the first handsel of the young rapiers of the Templers, and they are as proud of his repulse as an hungarian of killing a Turk.” That even ladies bore the “household sceptre” somewhat rudely, may be inferred from the same book; where it is said of a “she-precise hypocrite:” “She overflows so with the bible that she spills it upon every occasion, and will not *cudgel her maids* without scripture.”

It was a considerable point gained, that every thing fierce or boisterous was now banished from the diversions of the court. These chiefly consisted of plays, masques, revels and balls, followed by splendid banquets. Something of a romantic spirit they still retained, a last memory of chivalry, but pomp and luxury were their principal characteristics. The cruel combats of the cock-pit, prohibited by Elizabeth, were indeed revived and diligently frequented by her successor; but the ruder, if not more inhuman sports of the bear-garden, appear to have been no longer patronized by the court, nor *often* witnessed by ladies. Even the chace, though passionately followed by James himself, and by most of the rural gentry, was no longer an object of paramount or universal interest to the highest class of society, which now comprised many individuals whose manners were refined and their leisure occupied by literature and the elegant arts; many also whose attention was largely shared by the pursuits of politics and the pleasures of the town.

The gradations of rank, down to the termination of the reign of Elizabeth, had remained fenced about with all the jealous precautions of the ancient feudal aristocracy. The liberal maxim that in the intercourses of society all gentlemen are to be regarded as equals, had not yet obtained currency even in France, where it was first promulgated. In the mansions of the principal English noblemen guests were usually entertained at three different tables, answering to the degrees of lords, knights and gentlemen; and that it was by no means the general rule for commoners to partake of the same fare with their titled host, may be inferred from the exception recorded by Ben Jonson in his “Address to Penshurst,” the seat of the earl of Leicester; a house long consecrated to the muses and propitious to their votaries;

“ Where comes no guest but is allowed to eat
 Without his fear, and of thy lord's own meat ;
 Where the same bread and beer, and self-same wine
 That is his lordship's shall be also mine.”

We find Sir John Hollis, one of the most wealthy and considerable knights in England, and whose heir actually purchased under James the title of earl of Clare, refusing to marry his daughter to the earl of Cumberland, because he would not “ be obliged to stand cap in hand to his son-in-law ;” and so far was it from being accounted any disparagement to belong to the household of a person of rank and consequence, that Peacham deems it necessary to admonish his pupil, a Howard, *not to consider men as ennobled, or made gentle in blood, “ because they followed some great person.”* But the whole course of James's conduct had tended to disturb ancient order, to confound established distinctions, and as it were, to smooth away the steps of honour into an almost imperceptible slope. The lavish hand with which he distributed not only knighthood but peerages in the beginning of his reign, and the open manner in which dignities were afterwards set to sale by his courtiers, the creation of the order of baronets, the intermingling of Scotch peers with English without any formal adjustment of precedence between them, and lastly, his practice of conferring Scotch and Irish peerages on Englishmen often of mean birth and small estate, might seem the results of a deliberate plan for lessening the importance of the ancient baronage of England, though they were more probably the uncalculated results of his facile disposition, and the embarrassments of his treasury. In fact, the times were long passed when a king of England could view with reasonable jealousy the power of the greatest amongst his nobles ; a far more real danger to royal authority was in the extension of the privileges of peerage to individuals free from the prejudices, or strangers to the maxims, of the old hereditary aristocracy. Osborn observes, that through the introduction of so many new men into the house of lords, it began to participate in all the “ humors” of the commons. “ The ancient nobility,” he adds, “ never carried their opposition to kings so high, being in their greatest fury and pride wise enough to remember the plume of state could not be ruffled without putting in disarray all their smaller feathers.”

From this survey of the commerce, the arts, the luxury,

the literature, the education and the manners of the age, we may certainly conclude the general state of the country at the accession of *Charles I.* to have been highly prosperous and rapidly improving. *To its fecility however an important alloy* was found in the abuses which had crept into the administration of justice and every other department of civil government, through the rapacity and corruption of men in power, and the arbitrary spirit of the prince, which inclined him to disdain the limits of law and the control of parliament; and also in the oppression to which large bodies of peaceable subjects were exposed through the operation of unjust and cruel laws enacted for the enforcement of religious conformity.

From many signs and tokens sagacity might have predicted, that whatever might be the personal qualities of the successor of *James I.*, it was on conflicts between the maxims of passive obedience in church and state, and the rising spirit of civil and religious liberty amongst a moral and enlightened people, that the historic interest of his reign and the crisis of *his* fate, must turn.

CHAPTER III.

1625.

Expectation of change of measures disappointed.—Buckingham retains his power.—Lord keeper Williams disgraced by his influence.—Marriage treaty hastened.—Parliament summoned.—Funeral of king James preceded by his son's marriage.—Embassy of Buckingham to conduct the bride.—His splendid appearance and intrigue with the French queen.—Letter of Mary de' Medici to her daughter.—Meeting of the king and queen.—Description and anecdotes of her.—Plague in London.—Meeting of parliament.—King's speech demanding supply.—Commons though dissatisfied grant two subsidies.—King's ungracious carriage.—Fears of popery.—Montagu's book censured in parliament.—King's interference.—Parliament adjourned to Oxford.—Ships lent to the king of France.—Parliament incensed.—King demands supply.—Buckingham attacked by the commons.—Parliament dissolved.—Accounts of the plague.—Loan imposed.—Cadiz expedition.—Embassy of Buckingham to the Hague.—Earl Holland dissuades him from visiting France.—Williams deprived of the seals and banished to his diocese.—King in want of money.—Writs for a new parliament.

THE parentage and birth-place of king James, his personal qualities, and the general course of his policy foreign and domestic, had all conspired to render his rule generally and profoundly distasteful to the English nation; and any appearances of cordiality with which the accession of a second Stuart might be hailed, seem to have been principally attributable to the hope of some important change of men and measures under a new reign.

Buckingham had already forfeited his short-lived popularity. His supposed merit in the breach of one catholic marriage being cancelled by the zeal which he had evinced in negotiating another, and his eagerness for the declaration of a war with Spain being neutralized by the slackness with which he had suffered it to be carried on, the odium formerly excited by his arrogance, his arbitrary conduct, and his monopoly of power, places, and honors had returned with redoubled vehemence; and it had become the general wish that the

downfall of this imperious favorite might supply an omen to coming reign. But the first steps of the new sovereign were formed to disappoint this hope.

In his progress from Theobalds to London, on the day after his father's decease, Charles was accompanied in his carriage by the duke, and by Dr. Preston, the chaplain whom he had lately given him; and at his first privy council no change of the slightest political importance was made in the members of the board. Bishop Williams, the sole great officer of state whom the personal favor of king James had sustained against the declared hostility of Buckingham, received the empty or sarcastic compliment of a command to preach that monarch's funeral sermon; but he was called no more to the council; on the third day of the reign he was menaced in the king's presence with an impeachment, and he was soon after informed that the duke loudly threatened to deprive him of the office of lord keeper;—a striking proof of the confidence of this minister in the augmentation of his own authority by the change of masters.

The treaty for the royal marriage proceeded without the slightest pause; letters on this business being dispatched on the very morning after king James's death; and it was soon understood that the war with Spain was now to be prosecuted with fresh vigor. So impatient indeed was Charles to obtain the requisite supplies, that he proposed to reassemble the old parliament; but being informed by the lord keeper that the legal existence of this body ceased with the life of the sovereign by whose authority it was convoked, he contented himself with commanding writs to be issued for a new election at the shortest possible notice. This measure likewise was condemned for its precipitation by Williams, who, much better acquainted than his master with the state of public opinion, earnestly recommended that "the usual means" should previously be taken for making the elections fall on persons acceptable to the court. But the adviser being suspected, his suggestions were of course disregarded, and the young king and his rash minister were left to learn too late how far it exceeded their power and skill to direct the votes of an independent and purely-chosen house of commons.*

King James's body was conveyed from Theobalds to Somerset House, where it was still lying in state when, on May 1st, the nuptials of his son and successor were celebrated at

* Hacket's *Life of Williams*, part ii. p. 8.

Paris. The funeral was performed on the 7th of the same month, the royal bridegroom sustaining the part of chief mourner ; and it was merely an intrigue of the papal nuncio, who sought to detain Henrietta at Amiens till she should have performed a solemn act of penance for consenting to marry a heretic prince without a dispensation from Rome, which postponed till June 12 the landing of the bride, and the consequent public rejoicings.

The duke of Buckingham was sent ambassador extraordinary to Paris, for the purpose of witnessing the marriage and conducting the queen to England. He declined the honor of officiating as his master's proxy, probably on account of some unsettled punctilio, and that office devolved in consequence on the duke of Chevreuse, a prince of the house of Loraine, distantly related to the royal family of Scotland through Mary of Guise ; but all the display was made by the English favorite, who exhibited on the occasion a pomp and magnificence which could not easily have been exceeded by the king in person ; in fact it was believed by the French that the very crown jewels were lent him for his own wearing.* We are likewise informed, that of twenty-seven suits prepared for his use, the richest,—one of white velvet set all over with diamonds,—was valued at 80,000*l.* exclusive of a feather of great diamonds, and a hatband, sword, girdle, and spurs set with the same. He had three coaches lined with velvet, covered with gold lace, and drawn by eight horses each, and his train is said to have amounted to six or seven hundred persons, many of them distinguished by rank and family, and all gorgeous with gold, gems, velvet, silks, and embroidery. This blaze of magnificence which assorted well with the distinguished beauty of his countenance, the symmetry of his commanding person, and the haughty graces of his manner and deportment, called forth enthusiastic plaudits at the court of France, and raised to such a height the presumption of this spoiled child of nature and fortune, that disdaining all meaner conquests, he aspired, with a strange openness, to the favors of Anne of Austria herself, queen consort of France. This princess, then in the bloom of youth and beauty, and deeply imbued with the romantic gallantry of her native court of Spain, neglected by her melancholy husband and insignificant at his court, was by no means displeased to witness the effect of her charms on the brilliant stranger. She,

* Motteville, *Mém. d' Anne d'Autriche*.

as well as the queen's mother, thought proper to accompany the royal bride as far as Amiens, and the facilities of intercourse afforded by the journey were sedulously improved by Buckingham. On one occasion he joined her as she was walking in the garden of the house where she was lodged; and her attendants, who were much in his interests, retiring out of sight, the freedom of his behaviour became so extreme, that the queen's cries of alarm quickly compelled them to return for her protection. Even after this scandalous scene, which caused the speedy dismissal of several of the queen's household, she permitted him to take a tender farewell of her as she sat in her carriage with the princess of Conti, who afterwards confessed that the looks of the queen testified at least compassion for the despair which he exhibited.

Hurried away by the violence of his passion, or, more probably, by the headlong will which governed him, Buckingham afterwards swore that he would see and speak with that lady again in spite of all the power of France; and regardless of the threats of assassination thrown out against him by the courtiers of Louis XIII., he actually quitted upon the road the queen of England, whom it was his duty to attend, returned post-haste to Paris, on some pretext of a secret negotiation, hastened to the chamber of Anne, who had been prepared to expect his visit, threw himself on his knees by her bedside, and acted a scene of frantic passion which ended in his being pushed out of the room by the lady in waiting.*

This extraordinary intrigue appears to have exerted a powerful influence over the public relations of the two countries, and it seems almost equally difficult to conceive that Charles could have been kept in ignorance of the intolerable conduct of the duke, or that, knowing it, he could have failed to visit it with exemplary marks of his royal displeasure.

At Amiens, where Mary de' Medici took leave of her daughter Henrietta, she presented her with a letter in her own name and handwriting, but of which Richelieu was the real author. This document has fortunately been preserved to the present time, and it is on various accounts so curious and important that an abstract of its contents may here claim a place.

After some general exhortations to piety and devotion, and customary phrases on the nothingness of this world compared

* See for all these particulars the "*Mémoires*" of Madame de Motteville, by whom the story is no doubt told in the most lenient manner for the reputation of her royal mistress.

with eternity, the princess is enjoined to recollect that she is a daughter of the church, and that this is the most exalted title she can ever bear ; and to pray constantly that the precious gifts of faith and grace may be preserved to her, and that she may rather lose her life than fall from them. She is reminded of the devotion of her ancestor St. Louis, and exhorted to be, like him, firm and zealous in her religion, and never to listen to anything, or suffer anything to be said in her presence contrary to her faith. "We have the promise," it is added, "of the late king of Great Britain and the king his son, that such things shall not be said ; but, on your part, you must show so firm a resolution, and such severity on this point, that any one making such an attempt may perceive at once that you cannot endure such license ; your zeal and courage will be properly exerted on this matter ; and with the knowledge you possess of every thing necessary to your salvation, your humility will be approved if you shut your ears against all discourse on religion, leaving the church to speak for you." To confirm her faith, she is recommended to open her mind to those who have the care of her conscience, to frequent the sacraments, and to communicate on the first Sunday of every month, and at all the feasts of Jesus Christ and of his holy mother, to whom, as being named after her, she is exhorted to pay a peculiar devotion.

The next duties enjoined upon her respect, the catholic subjects of her husband, whom she is so to patronize with him that they may not relapse into the misery whence her marriage had rescued them : she is to be to them another Esther, who had the grace from God to be the defence and deliverance of her people by her intercession with Ahasuerus. "Through them," she is told, "God will bless you, even in this world ; all that you do for them he will account as done unto himself. Forget them not, my daughter, God has sent you into that country for them, for they are his people, who have suffered many years ; welcome them with affection, listen to them with willingness, protect them with assiduity ; it is your duty ; they are worthy of regard not only on account of the afflictions they have endured, but still more for the sake of the religion in the cause of which they have suffered."

In treating of her duties to her husband, she is told, that she ought to love his soul and to seek his salvation, and daily to pray, and to cause special prayer to be made, that God would draw him to the true religion, in which, and even for

which, his grandmother died. "She has this wish for her grandchild in heaven, and it ought to be your ardent desire on earth ; it is one of the designs which God has respecting you ; he will make you the Bertha of our days ; she, like you a daughter of France, like you a queen of England, obtained by her holy life and her prayers the gift of faith for her husband and for the city which you are about to enter." This holy desire, it is suggested, ought to be a motive with her to put a force upon her own humour and submit herself to the will and inclinations of the king in every thing except religion, in which she is again exhorted to firmness and perseverance, on pain of her mother's malediction.

In the conclusion of the letter, it is said to be one of the chief interests of France and England to be inseparably united, and that the queen should make herself the bond between them. She is then enjoined to use with great discretion "the licence which the English manner of living allows to ladies," and sound rules are given for her conduct towards her household, and her own deportment and behaviour ; but to these common-places of moral instruction, inserted by her crafty counsellors merely as matters of custom and decorum, it was probably not expected that she should pay very serious attention. The real purport of the letter, to prompt her to make herself the head of a formidable faction within her husband's kingdom, was much more consonant to the temper and inclinations of Henrietta, as well as to the secret views of the French cabinet, and of this fatal suggestion she seems never to have lost sight.*

The king met his bride at Dover on June 13, and proceeded with her to Canterbury, and thence on the following day to Gravesend, where the royal barge was in attendance to convey them to the palace of Whitehall. Henrietta was at this time little more than fifteen years of age, and the smallness of her stature made her appear still younger. Her shape was some what awry, and her features were not regular ; a pair of bright black eyes and a sprightly and agreeable countenance formed therefore her chief pretensions to beauty, as a lively style of talking was her principal claim to the reputation of talent. She had received no solid in-

* This letter, now first presented to the English reader, has been published amongst the "*Eclaircissements et Pieces Historiques*" appended to the great general collection of french *Memoires*, where it is given on the authority of a MS. collection of the 17th century ; but a copy of it has also been found in the French State Paper Office in the hand-writing of cardinal Richeliéu.

struction, and was almost totally illiterate. On her first introduction to the king, she kneeled and kissed his hand, saying, as he raised and cordially embraced her, that she was come into his kingdom to be at his service and command. Afterwards, gracefully remarking that her youth and ignorance of the country might easily lead her into errors, which however she would constantly be willing to correct, she begged as a favor that he would engage always to let her hear of her faults from himself. He gave her a promise to this effect, and observed it with more exactness than she in truth desired ; for beneath this act of diffidence and humility, which she had probably been instructed to assume in the commencement, Henrietta concealed great haughtiness, an impetuous will, and a turn for intrigue which it was the business of her French attendants to improve to the utmost.

At the first meal to which the royal pair sat down together, the queen's confessor, taking his station beside her chair, warned her not to partake of the venison and pheasant carved to her by her husband, because "it was the eve of St. John Baptist, and was to be fasted, and that she should take heed how she gave ill example, or a scandal, at her first arrival." Nevertheless, "she eat heartily of both,"* to the great consolation of the protestant bystanders, who on this slight foundation flattered themselves with hopes of her speedy conversion.

Preparations had been made in the city of London to celebrate the expected entry of the king and queen with the accustomed pomps and pageants ; but all thoughts of this ceremony and all tokens of public rejoicing were broken off by the appearance of the plague ; a visitation regarded by the people as a manifestation of the wrath of heaven* against a popish marriage, and the certain omen of a disastrous reign. But no omen was required by men of sagacity when once they had witnessed the positions respectively taken by the king and the house of commons on the meeting of parliament.

This assembly was opened by the king in person on June 18. It was well noted that he wore the crown on his head, contrary to the custom of English kings previously to their coronation, a solemnity regarded by all who understood the constitution of their country as the election, rather than the mere recognition, of a sovereign. This innovation was probably adopted by Charles as an assestion of the *right divine*

* Ellis's *Letters*, iii. 198.

to which, after the example of his father, he thought proper to lay claim. His speech, in marked contrast to the long, rambling, quaint orations of king James, was brief, plain, and somewhat peremptory. He observed indeed, with reference to the defect of his utterance, that he was "not made for much speaking." Incorrectly identifying the present parliament with the last, he desired to remind them that he was engaged in a war undertaken by *their* advice, expressed a confidence of their support, and required them to expedite the supplies of which he stood in need preferably to all other matters, partly on account of the urgency of his affairs, partly because the progress of the pestilence rendered their continuance together dangerous to themselves: He concluded by protesting his attachment to the religion he professed, which certain ill-disposed persons had called in question.

The commons, conscious of their own strength, and determined to employ it for the protection of the people against the progressive encroachments of royal authority on the ancient constitution of the country, were little disposed to proceed in the business of supply with the expedition which the king prescribed. Some members thought it reasonable first to expect the redress of grievances complained of but not remedied under the former reign; others desired an account of the employment of the last subsidy, granted for the recovery of the Palatinate; others were anxious for the enforcement of the laws against popery, which had lately been illegally suspended by the king's authority; whilst others again pressed for the repeal of a duty on wines imposed by the late king without consent of parliament. But through a natural and becoming desire in the majority to conciliate the affections of a new sovereign, these motions were all for the present overruled, and the house passed a vote for two subsidies, "as the first fruits of their love to their prince." The king in return gave a complying answer to their petition against the catholics, and for the manner of their supply he returned them thanks, but let them know that in amount it fell far short both of his wants and expectations; he also took upon him to express surprise that they should entertain so much as a thought of interfering with the levy of the duties on wines, since the amount had been bestowed in the relief of the Palatine and his family. "The most that aggrieved the council of parliament," observes an acute contemporary, "was that the king's concessions for the good of the people came not off cheerfully; he

wanted a way indeed to give a gift, and to make it thank-worthy in the manner of bestowing.”*

In these early transactions we plainly discern the germs of civil contest, nor were the seeds of religious dissension more tardy in disclosing themselves. The king's marriage with a Roman-catholic princess, and the large establishment of ecclesiastics, including monks and a bishop, which she had been allowed to bring with her ;—the evident predilection of Buckingham for the same church, of which both his mother and his wife were acknowledged members ;—the late interference exerted for the suspension of the penal laws against priests and recusants ;—slights of various kinds put upon the reformed churches abroad, and the hostility which Charles appeared to inherit from his father against the calvinistic or puritanical party in his own kingdoms, had all concurred to excite in the English parliament and people violent suspicions of an intended toleration of catholic worship, or perhaps even of a meditated reunion between the Anglican and Romish churches. Neither the declaration of his attachment to the protestant faith with which Charles had concluded his first address to the legislature, nor yet his favorable answer to its petition against the growth of popery, had greatly conduced to the quieting of these misgivings, because his actions were plainly at variance with his professions or promises, and an incident which now occurred was well adapted to add strength to all the former jealousies.

Towards the close of the former reign, Richard Montague, a court divine, had written a book entitled, according to the quaint fashion of the times, “ A new gag for an old goose,” which, though a professed answer to a Roman-catholic book called, “ A gag for the new Gospel,” leaned so much to the tenets of that church, that the house of commons then sitting summoned the author to their bar, but afterwards turned him over to the authority of archbishop Abbot, who prohibited him from writing more on these topics, and so dismissed him. Montague however, encouraged by Laud, ventured to compose a defence of his book, which he called “ Appello Cæsarem,” and had designed to present to king James, but on his decease inscribed to his successor. It was approved by several bishops, licensed without scruple by a Dr. Francis White, and published. In this piece, the Romish was asserted to be a true church, resting on the same authority and

* Hacket's *Life of Williams*, part ii. p. 9.

foundations as the English, and not differing from it in fundamentals, but only in some points of lesser importance ; the use of images was defended ; the saints were affirmed to have knowledge and memory of human things, and to exercise a peculiar patronage over certain places and persons ; the real presence was maintained ; ordination was numbered among the sacraments ; and confession and absolution, and the use of the sign of the cross, were approved. On the other hand, there was much bitterness against the puritans ; lecturing and preaching were descried, and even the reading of the scriptures was alluded to with a sneer. The writer had also paid homage to the despotic propensities of the king, by claiming for him a prerogative founded on right divine and paramount to the laws of the land.

The commons, greatly alarmed at the promulgation of such doctrine, so patronized, appointed a committee to examine the book, and on receiving its report, bound Montague in a recognisance of 2000*l.* to answer such articles of accusation as should be brought against him. This proceeding roused the activity of Laud, who, anxious at once for the diffusion of his own doctrines in religion and government, and jealous and disdainful to the last degree of all authority exerted by the representatives of the people over ecclesiastical persons or causes, prevailed on two other prelates to join with him in addressing a vehement letter to the duke of Buckingham, in which they actually went so far as to declare that it was impossible to conceive how any civil government could be supported, if the contrary of Montague's doctrines should be maintained, and urged him to engage the king to reclaim to himself the judgment of the cause, as a branch of his prerogative. The suggestion was but too welcome to the mind of Charles, and he lost no time in intimating to the house of commons his displeasure at their alarming the nation with fears of popery, and especially at their commencing proceedings against a chaplain of his, without his special license previously obtained ; adding, that he would himself call Montague before the council, and sentence him according to his deserts. By this interference the polemic was rescued for a time from parliamentary animadversion, but with such a diminution of the confidence and attachment of the house of commons, as a prudent prince would have hesitated or refused to incur, even in a much clearer case, and one of greater consequence.

The alarming progress of the plague in London now
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prompted the two houses to petition the king for a short recess, which he granted ; but in the hope of inducing them to enlarge their vote of supply, he reassembled them at Oxford about the beginning of August. Unfortunately for this design, circumstances in the mean time transpired which seemed to justify the darkest suspicions entertained of the court, and which confirmed the commons in requiring a change of men and measures before they would intrust the king with the application of larger grants of the public money.

King James, in the last year of his reign, had consented to accommodate his ally Louis XIII. with the loan of a ship of war called the Vanguard and seven armed merchantmen to be employed against Genoa ; but afterwards suspecting that it was designed to use them in the blockade of the hugonot fortress of Rochelle, he had given directions that the crews should be chiefly composed of English, in order to keep the power over them still in his own hands. After the accession of Charles, these ships, by a secret understanding with the French ambassador entered into by the king and Buckingham, and carefully concealed from the rest of the council, were sent to Dieppe under a contract to fight for the king of France against any nation but their own ; Buckingham at the same time having artfully raised a false report of an accommodation between the hugonots and their sovereign. Pennington, the admiral, protested against this contract as surreptitiously obtained, and the commanders of the merchantmen, resolute not to be thus trepanned into an odious service, held off, and suffered their commander to enter the port of Dieppe alone. Here the French ambassador produced to him letters from the duke and an order by secretary Conway in the king's name, for the delivery of the ships into the power of the French ; but Pennington, not conceiving himself obliged, or even authorized, to dismiss his officers and give up the vessels nearly unmanned, as the ambassador required, refused to comply without express orders from home. The ambassador, on this, entered a protest against him as a traitor to his king and country, and by his menacing language so enraged the soldiers and sailors of the Vanguard, that they broke into tumult, and weighing anchor set sail for England, declaring that they would rather be hanged at home than surrender the ship, or be slaves to the French and fight against their own religion. The captains and crews of the merchantmen made the same declaration, and they all returned to the Downs, whence Pennington wrote to the duke,

complaining of the terms of the contract, announcing the resolution of his squadron, and desiring further directions. Meantime, deputies had arrived from the duke of Rohan and the French protestants, deprecating the employment of English ships for their destruction ; and fair answers were returned them not only by the body of the council, but even by the king himself, who nevertheless dispatched an express to Pennington commanding him to surrender the Vanguard to the French, and to compel the other vessels, "even to sinking," to follow the example. The admiral obeyed ; he fired after the merchantmen as they attempted to make their escape, and succeeded in delivering the whole squadron into the hands of the French, excepting one ship, with which sir Ferdinando Gorges broke through and came home. But the crews, with the exception of a single gunner, unanimously refused the service and quitted their vessels, and Pennington on landing "hasted" to Oxford, "but, as was voiced, was there concealed till the parliament was dissolved."*

In spite of this precaution, accounts of the transaction quickly reached the house of commons, and exceedingly exasperated the general indignation against Buckingham. The consideration of grievances was resumed ; a committee was appointed for secret affairs, and to inquire into the application of the last supplies granted to king James ; Montague was called up for further examination ; heavy complaints were made against the duke as lord-admiral for his neglect to guard the narrow seas, through which the Turkish corsairs had been enabled to land and carry off captives from the Western coasts, and articles of accusation against him were put in preparation.

The king, on the other hand, pressed the house for further supplies, and caused estimates of his debts and of the sums required for the maintenance of the navy, and for general purposes, to be laid before them. But all his efforts were unavailing ; in the debates which ensued it was alleged, "that the public money was ill-employed, and the king ill-advised ; our necessities arose from improvidence : that although a former parliament had engaged the king in the war, yet, if things were managed by contrary designs, the present parliament was not bound by their act, nor to be carried blindfold into acts not guided by sound counsels ; they had more reason to petition the king for a stout hand and

* Rushworth, vol. i. p. 180.

sounder counsels to manage his affairs; and that it was not usual to grant subsidies upon subsidies, and no grievances redressed." Several particular instances of misgovernment were likewise brought forward as worthy to be represented to the king, among which neither the " manifold miscarriages of the duke, the sale of places for enormous sums, the ships lent against Rochelle, nor the terms of the French marriage-treaty were forgotten." In a conference with the lords, the commons desired their concurrence in further representing to the king, that notwithstanding such an answer from him as had assured them of the execution of the penal laws, the royal pardon had been granted on the very next day to a Jesuit and ten other papists, at the intercession of some foreign ambassador. It was also observed, that this pardon was passed by immediate warrant, without payment of fees, and signed by the principal secretary of state; and that by it several statutes provided to keep the subject in due obedience were dispensed with.

By way of blunting the force of these animadversions, Charles now summoned the two houses to receive a fuller and more explicit assent than he had yet given to the petition regarding religion, and the duke, by his command, made them a report of the state of the fleet, and gave an explanation of such parts of his own conduct as had been most called in question. These condescensions made some impression, and several members urged the grant of a further supply, on account of the necessity of the king's affairs. But it was answered, that necessity is a bad counsellor, and a continual argument for supplies in all parliaments; " that those counsellors who have put the king and kingdom into such a necessity and hazard ought to answer for it, whosoever they be; that if the state of things will not admit a redress of grievances, surely there is not so much necessity for money;—meaning probably, that if the king hesitated to deserve a grant by redress of grievances, his want of money ought not to be considered as urgent. It was mentioned also, that in the reign of Henry III. there was one punished for pressing of more subsidies when subsidies had been granted before in that parliament.* Convinced at length that it was vain to expect from this house of commons any further supplies without the redress of grievances which he was resolute not to redress; urged also by Buckingham, who was both irritated at the reflec-

* Rushworth.

tions thrown out against him, and alarmed by the preparations made for his impeachment, Charles abruptly dissolved the parliament by commission on August 12. An angry and ill-considered act, by which he certainly prepared the misfortunes of his whole succeeding reign !

In the meantime, the augmenting ravages of the plague had gone on diffusing a general consternation, heightened by the superstitious ideas which then infested the minds of men. It was remarked, that this visitation was severer even than that which had ushered in the reign of James, which was more fatal than any former one ; whence it was argued that the rule of the present king would prove calamitous beyond all precedent ; and many persons beheld in it a mark of the displeasure of heaven against the *Ægyptia conjux*, the “papist and idolater” so lately made the consort of the chief of protestant princes. All persons who were able, fled from London, the centre of contagion, and communication was as much as possible cut off between it and the provinces. The pestilence diffused itself notwithstanding ; the king was deterred from approaching Windsor by the appearance of the disease on a yeoman of the guard, and the parliament had sat in terror even at Oxford. A striking picture of the desolation of the city is thus drawn by the hand of a contemporary. “The plague still raged in London, so that in one week there died 5000 persons ; it was also spread in many places in the country. In some families, both master and mistress, children and servants, were all swept away. For fear of infection, many persons who were to pay money did first put it into a tub of water, and then it was taken out by the party that was to receive it. When the plague was somewhat assuaged, and there died in London but 2500 in a week, it fell to judge Whitlocke’s turn to go to Westminster hall, to adjourn Michaelmas term from thence to Reading ; and accordingly he went from his house in Buckinghamshire to Horton near Colnbrook, and the next morning early to Hyde Park corner, where he and his retinue dined on the ground, with such meat and drink as they brought in the coach with them, and afterwards he drove fast through the streets, which were empty of people and overgrown with grass, to Westminster hall ; where the officers were ready, and the judge and his company went straight

to the King's bench, adjourned the court, returned to his coach and drove away presently out of town."*

The noted John Lilly, the astrologer, was at this time confidential servant, or clerk to a gentleman who, flying himself from London, left him in charge of his house and effects; and he thus describes the mode in which he and others passed away that interval of melancholy vacation. "My master was no sooner gone down but I bought a base viol, and got a master to instruct me; the intervals of time I spent in bowling in Lincolns-Inn Fields with Wat the cobbler, Dick the blacksmith, and such like companions. We have sometimes been at our work at six in the morning, and so continued till three or four in the afternoons, many times without bread or drink all that while. Sometimes I went to church and heard funeral sermons, of which there were then great plenty. At other times I went early to St. Antholin's in London, where there was every morning a sermon. The most able people of the city and suburbs were out of town; if any remained, it was such as were engaged by parish offices to remain; no habit of a gentleman or woman continued; the woful calamity of that year was grievous, people dying in the open fields and in the open streets. At last, in August, the bills of mortality had so increased, that very few people had thoughts of surviving the contagion."†

He goes on to mention, that "the Sunday before the great bill came forth, which was of 5000 and odd hundreds," there was a sacrament appointed at St. Clement Danes, at which the communicants were so numerous that three ministers were employed in the distribution, two of whom were taken ill of the plague before the conclusion of the service, and one died. To the imprudence of thus congregating the people at such a time, the increased mortality which ensued is probably to be attributed. Lilly elsewhere estimates the deaths in London during this pestilence at more than 50,000, and adds, "I do well remember this accident, that going in July 1625, about half an hour after six in the morning, to St. Antholin's church,‡ I met only three persons in the way, and no more, from my house over against Strand bridge till I came there; so few people were then alive, and the streets so unfrequented."§

* Whitlocke's *Memorials*, p. 2.

† Lilly's *Life and Times*, p. 17. ‡ In Watling Street.

§ Lilly's *Observations on the life and death of K. Charles*.

In consequence of the abrupt dissolution of parliament, the vote of supply had not passed into an act, and the subsidies therefore could not legally be levied. This circumstance, in the previously embarrassed state of his affairs, ought perhaps to have sufficed to induce the king to forgo the prosecution of a war entered upon rashly, and with little prospect of any advantageous results: but pertinacity was one of the chief characteristics of Charles's mind; the natural presumption of youth combined with the exalted notions of the kingly office in which he had been educated, to flatter him that his will must constantly triumph over all that opposed it, and he formed the contrary determination of pursuing his military designs with redoubled ardor. It thus became necessary for him to hazard the illegal, and therefore perilous step, of raising upon his subjects by way of loan a sum equal to the two subsidies.

The people, not ripe as yet for direct resistance to royal authority, complied in general with the requisition, though reluctantly; and strengthened by this supply he speedily equipped an armament, consisting of 80 ships and 10,000 men, destined to make a descent on the coast of Spain, and intercept the homeward-bound galleons. It was expected that the duke, as lord high admiral, would have taken the command in person; but he projected for himself a more welcome employ, and the appointment was conferred on Thomas Cecil viscount Wimbeldon, an officer of slender reputation, to whom the earl of Essex was joined as second in command.

Failure in every way disgraceful, was the result of this attempt. The want of any preconceived plan rendered it necessary to call a council of war off Cape St. Vincent, and before the jarring opinions of the commanders could be reconciled, the Spaniards were prepared against the attack. A landing was however effected near Cadiz and a fort taken; but a store of wine falling into the hands of the captors, the ill-disciplined soldiery indulged in such excesses as rendered it impossible to proceed, and a work of difficulty and danger even to reembark. The capture of the Plate fleet might still have compensated the failure on land, and richly repaid the cost of the expedition; but a pestilential disease having broken out on board one or two of the ships, it was speedily communicated to the rest by the strange imprudence of the commander in causing the sick to be distributed over the

healthy ships ; and under these circumstances he judged it expedient to sail for England without even awaiting the arrival of the galleons.

It was whilst the lord-admiral was superintending the embarkation of the troops for this expedition that he was summoned back to court by an urgent letter from the king, reminding him that his journey to the queen his sister, and to France, daily required more haste ; for that though the king of Denmark had lately had good success against the imperialists, he needed present encouragement, and Mansfelt without instant help would dissolve to nothing.* Buckingham, who required no urging, set out immediately on his diplomatic mission, and concluded at the Hague, then the asylum of the queen of Bohemia and her children, a league for the recovery of the Palatinate, in which several of the Northern powers took part. To this alliance, it was agreed that the king of England should invite his brother of France to accede, and that he should likewise intercede with him to grant terms of favor to the hugonots ; and Buckingham flattered himself that under color of negotiating these affairs, he might be enabled to fulfil his promise, or menace, of revisiting the lady of his affections. But his calculations deceived him. Richelieu had a double motive for excluding him ; the line of policy which he was commissioned to recommend to the cabinet of France was opposed to that which this great minister had determined to pursue, while the suit of gallantry which he sought occasion to urge, was deeply offensive to the presumptuous and slighted passion which the cardinal, in despite of his age and profession, was yet believed to cherish. The result was, that the earl of Holland, the more devoted adherent of Buckingham, and the confident of his amour, after carefully sounding the dispositions of the French court, found himself obliged to address to his patron the unwelcome intimation conveyed in the following remarkable letter.

“ My dearest lord,

“ All the joy I have, hath such a flatness set upon it by your absence from hence, as, I protest to God, I cannot relish it as I ought ; for though beauty and love I find in all perfection and fulness, yet I vex and languish to find impediment in our designs and services for you : first, in the busi-

* *Miscellaneous State Papers*, vol. ii. p. 12.

ness, for I find our meditation must have no place with this king concerning a peace. We must only use our power over those of the religion to humble them to reasonable conditions, and that done, they would, as far as I can guess, have us gone, not being willing that we should be so much as in the kingdom when peace is made, for fear the protestants may imagine we have had a hand in it. For our confederation, made by you at the Hague, they speak so of it as they will do something in it, but not so really or friendly as we could wish. But for these things you allow me, I trust, to refer you to the general dispatch.

“I now come to other particulars ; I have been a careful spy to observe intentions and affections towards you. I find many things to be feared, and none to be assured of a safe and real welcome. For the [king] continues in his suspects, making (as they say) very often discourses of it ; and is willing to hear Villanis say that [the queen] hath infinite affections, you imagine which way. They say there is whispered among the foolish young bravadoes of the court, that he is not a good Frenchman who suffers [you] to return out of France, considering the reports that are raised. Many such bruits fly up and down. I have, since my coming, given the queen-mother, by way of discourse, occasion to say somewhat concerning your coming ; as the other night, when she complained to me that things were carried harshly in England towards France ; I then said, that the greatest unkindness and harshness came from hence, even to forbid your coming hither, a thing so strange and so unjust, as our master had cause, and was, infinitely sensible of it. She fell into discourse of you, desiring you would respect and love her daughter ; and likewise that she had, and ever would, command her to respect you above all men, and follow your counsels, (the matter of her religion excepted,) with many professions of value and respect unto your person ; but would never either excuse what I complained of, or invite you to come upon that occasion. But though neither the business gives cause to persuade your coming, nor my reason, for the matter of your safety ; yet know, you are the most happy unhappy man alive, for [the queen] is beyond imagination right, and would do things to destroy her fortune, rather than want satisfaction in her mind. I dare not speak as I would ; I have ventured I fear too much considering what practices accompany the malice of the people here ; I tremble to think whether this will find a safe conveyance un-

to you. Do what you will, I dare not advise you ; to come is dangerous, not to come is unfortunate.”*

So warned, the Duke decided to postpone his visit, and returned to England disappointed and indignant, but not as yet disposed to resign as unattainable the object of his audacious and criminal pursuit. At home he found the aspect of his affairs scarcely less disquieting ; for though planted on the pinnacle of royal favor, the tide of popular indignation threatened every moment to sweep him from his station. That bold, crafty, and persevering struggle for place and influence, bishop and lord keeper Williams, had continued, notwithstanding the menaced dismissal, to profess a willingness to serve the duke, and through him his sovereign, by promoting a better understanding between the court and the house of commons. To this end he had advised that parliament, instead of being reassembled at Oxford after its adjournment to conclude the session, should be at once prorogued, and not summoned again till Christmas ; when in a new session the king might without irregularity demand a fresh supply. In the meantime he engaged by “ undertaking with the chief sticklers,” to take off their malice against the duke. This advice had been disregarded ; the meeting at Oxford had proved to the full as unpropitious to the duke and to the policy of his master as Williams had anticipated ; and hoping that experience might now give weight to his suggestions, he presented himself to Buckingham unsent for, and in a manner forced upon him this sound, but unpalatable counsel. “ Wind up a session quickly : the occasion is for you, because two colleges in the university and eight houses in the city are visited with the plague. Let the members be promised fair and friendly that they shall meet again after Christmas. Requite their injuries done unto you with benefits and not revenge. For no man that is wise will show himself angry with the people of England. . . . Confer one or two of your greatest places upon your fastest friends : so shall you go less in envy and not less in power. Great necessities will excuse hard proposals and horrid counsels. . . . At the close of this session declare yourself to be the forwardest to serve the king and commonwealth, and to give the parliament satisfaction. Fear them not when they meet again in the same body : whose ill affections I expect to mitigate : but if they proceed, trust me with your cause when it is transmitted to the house of lords,

and I will lay my life upon it to preserve you from sentence, or the least dishonor. This is my advice, my lord ; if you like it not, truth in the end will find an advocate to defend it." The duke replied no more but, "I will look whom I trust to ;" and flung out of the chamber with menaces in his countenance."*

After this repulse the bishop made one vigorous effort to supplant the favorite whom he was not allowed to guide. *This* was on occasion of the resolution taken at court to dissolve the parliament, when he, "with reasons, with supplications, with tears," besought the king to remember that his father, in his hearing, had "charged him to call parliaments often, and to continue them, though their rashness sometimes did offend him ; that in his own experience he never got good by falling out with them. . . . But chiefly, sir," says he, "let it never be said that you have not kept good correspondence with your first parliament. Do not disseminate so much unkindness through all the counties and boroughs of your realm. The love of the people is the palladium of your crown. Continue this assembly to another session, and expect alteration for the better. If you do not so, the next swarm will come out of the same hive." To this the lords of the council did almost all concur ; but it wanted Buckingham's suffrage, who was sure that the king's judgment would follow him against all the table."†

This pertinacity of opposition filled the measure of the lord keeper's offences in the eyes of Buckingham, and he would no longer suspend his threatened vengeance. In the month of October the king, who had now no will separate from that of his minister, sent to Williams an order to resign the seals, and also to retire to his bishopric of Lincoln. To the first mandate, the prelate bowed with due submission to his master's will ; but against the last, as a disgrace arbitrarily and unjustly imposed on one who had been accused of no offence, he remonstrated with a firm and manly spirit ; and the restriction was in consequence softened down to a prohibition of presenting himself at the council board uncalled-for ; to which he submitted. Sir Thomas Coventry, attorney general, was appointed lord keeper in his stead, and proved himself an obsequious instrument of arbitrary power.

Buckingham had thus succeeded, almost without an effort, in banishing from public life the importunate monitor who

* Hacket's *Life of Williams*, part ii. p. 16.

† *Ib.*

had dared to sound in his own ears and those of his master denunciations of approaching dangers ; but the dangers themselves were not the less real ; they were advancing with accelerated pace and accumulating on every hand. The Cadiz expedition had failed from obvious and gross mismanagement, and indignation was strongly excited against the minister who had entrusted to hands so incompetent the execution of a plan so ill-digested ; whilst the enormous cost thus fruitlessly incurred, had oppressed the exchequer with a fresh load of debt. The coronation, already deferred till the people began to suspect some sinister design in its postponement, must speedily be celebrated at an expense which could ill be afforded. Large sums were required for carrying on the war, for the maintenance of a splendid court, and to discharge former debts. At the same time it appeared that all irregular modes of levying money on the people had been carried as far as could be ventured, since in order to raise a present supply, Charles had been reduced to commit a great part of his plate and jewels to the hands of Buckingham, by whom it had been carried to the Hague and there pawned. Thus, the first parliament of the reign had no sooner been dissolved in displeasure, than every member of the administration confessed the absolute necessity of assembling a new one, which it was not apparent that the court possessed any effectual means of rendering more obsequious to the king and less hostile to the minister than its predecessor.

The coronation, announced for Christmas, was further postponed to Candlemas, parliament was summoned to meet two days later in February, and the year closed upon this eventful prospect.

CHAPTER IV.

1625. 1626.

Disagreement of king and queen.—French attendants.—Letter of king to Buckingham.—Intrigues of Blainville—of English catholics.—Order to disarm them.—Letter of court news.—Wentworth and others compelled to serve as sheriffs.—Coronation.—Williams forbidden to attend.—Laud directs the ceremony.—Particulars of it.—Queen not crowned nor ambassadors present.—French ambassador in disfavor.—Parliament opened.—Servile speeches of the lord keeper and the speaker.—Grievances considered.—Charges against Buckingham.—Interposition of the peers.—King presses for supplies.—Disputes between king and commons.—Adjournment.—Measures of Buckingham against peers.—Oppressive treatment of Williams—of earl of Bristol.—Countercharges of Buckingham and of Bristol who is protected by parliament.—Committal of earl of Arundel.—House of lords obtains his liberation.—Impeachment of Buckingham.—Members sent to the Tower.—Buckingham chancellor of Cambridge.—King demands supply.—Commons complain respecting recusants.—Require the removal of Buckingham.—Dissolution of parliament.—Remonstrance of the house of commons.—King's proclamation against it.

OF the various infelicities which clouded the mind of Charles amid the prime of youth and the first lustre of royalty, none appear to have wounded his peace so deeply as those which he experienced in the character of a husband; and that such was the case is honorable alike to his principles and his heart. His was a temper formed to cherish steadfastly one strong attachment; and whilst he faithfully endeavored to fix it on the wedded partner of his throne and life, he found a malignant influence perpetually interposed to check his purpose, and forbid the union of their hearts. This influence was that of the crowd of French priests and attendants which the queen had been preposterously permitted to bring with her, who availed themselves of the pretext of securing her religion to form a close cabal around her, keeping all the English at a distance, while they moulded her to their own purposes and those of France,—purposes dangerous to the

tranquility of the state, and equally inconsistent with the rights and the happiness of her husband, and her own true and permanent interests. The king's disgust at their proceedings was not long a secret. In a private letter of news dated June 1625, we already read ; " These priests have been very importunate to have the chapel finished at St. James's, but they find the king very slow in doing that. His answer, one told me, was, that if the queen's closet, where they now say mass, were not large enough, let them have it in the great chamber ; and if the great chamber were not wide enough, they might use the garden ; and if the garden would not serve their turn, then was the park the fittest place."* The same person writes soon after ; " The friars so frequent the queen's private chamber, that the king is much offended, and so told them, having, as he said, granted them more than sufficient liberty in public." The following trait of the queen's behavior is added : " The queen, howsoever very little of stature, yet of a pleasing countenance, (if she be pleased,) but full of spirit and vigor ; and seems of a more than ordinary resolution. With one frown, divers of us being at Whitehall to see her, (being at dinner, and the room somewhat overheated with the fire and company,) she drave us all out of the chamber. I suppose none but a queen could cast such a scowl."†

Buckingham was the chosen depository of his master's domestic disquiets, and has probably been justly charged with aggravating differences between the royal pair. In a letter addressed to him just before the sailing of the Cadiz expedition, the king thus expresses himself : " As for news, my wife begins to mend her manners ; I know not how long it will continue, for they say it is by advice ; but the best of all is, they say the Monsieurs desire to return home ; I will not say this is certain, for you know, nothing they say can be so."‡ It proved indeed untrue that the French attendants were desirous to quit a country which opened so wide a field for their intrigues, and Charles in consequence, formed, so early as November 1625, a firm resolution to expel them, which he thus imparted to Buckingham whilst on his embassy to Holland, whence, as we have seen, he expected to obtain permission to proceed to Paris.

" Steenie :

" I writ to you by Ned Clarke, that I thought I would have cause enough in short time to put away the Monsieurs, either

* Ellis's *Letters*, iii. 202. † Ellis's *Letters*, iii. 206. ‡ *Miscel. State Papers*, n. 12.

by attempting to steal away my wife, or by making plots with my own subjects. For the first, I cannot say certainly whether it was intended, but I am sure it is hindered ; for the other, though I have good grounds to believe it, and am still hunting after it, yet seeing daily the maliciousness of the Monsieurs, by making and fomenting discontentments in my wife I could tarry no longer from advertising of you that I mean to seek for no other grounds to cashier my Monsieurs, having for this purpose sent you this other letter, that you may, if you think good, advertise the queen-mother with my intention ; for this being an action that may have a show of harshness, I thought it was fit to take this way, that she, to whom I have many obligations, may not take it unkindly, and likewise I think I have done you no wrong in my letter, though in some place of it I may seem to chide you. I pray you send me word, with what speed you may, whether ye like this course or not, for I shall put nothing of this in execution while I hear from you. In the mean time I shall think of the convenientest means to do this business with the best mine, but I am resolved it must be done, and that shortly.”*

The accompanying letter, chiefly remarkable for the solicitude evinced by the writer to represent his friend and confident in the light of a peacemaker, is as follows :

“ Steenie :

“ You know what patience I have had with the unkind usages of my wife, grounded upon a belief that it was not in her nature, but made by ill instruments, and overcome by your persuasions to me that my kind usages would be able to rectify those misunderstandings. I hope my ground may be true ; but I am sure you have erred in your opinion, for I find daily worse and worse effects of ill offices done between us, my kind usages having no power to mend any thing. Now necessity urges me to vent myself to you in this particular, for grief is eased being told to a friend ; and because I have many obligations to my mother-in-law (knowing that these courses of my wife are so much against her knowledge that they are contrary to her advice,) I would do nothing concerning her daughter that may taste of any harshness without advertising her of the reasons and necessities of the thing, therefore I have chosen you for this purpose, because you have been one of the chief causes that have withheld me from these courses hitherto, you may well be one of my chief wit-

nesses that I have been forced into these courses now. You must therefore advertise my mother-in-law that I must remove all those instruments that are causes of unkindness between her daughter and me, few or none of her servants being free of this fault in one kind or other ; therefore I would be glad that she might find a means to make themselves suitors to be gone. If this be not, I hope there can be no exceptions taken at me to follow the example of Spain and Savoy in this particular.* So requiring of thee a speedy answer in this business, for the longer it is delayed the worse it will grow, I rest, &c."†

With respect to the plot which the king suspected for stealing away his wife, it is remarkable that Madame de Motteville mentions having been told long after by Henrietta herself, that soon after her marriage, finding her situation in England uneasy, she had intended to ask her husband's permission to return to France on a visit to her mother, in which design she was encouraged by Buckingham, who hoped to be appointed to attend her. It is probable that it was the refusal of Louis to receive the duke at his court which disconcerted this intrigue, and that Charles always remained in ignorance of the part taken in it by his ungrateful and perfidious favorite. The patience of this prince was not however so nearly exhausted by the petulance of his spouse and the insolences of her servants as he himself imagined ; a proof that Henrietta knew how to mingle smiles and blandishments with her frowns, and that she had already made herself an interest in the affections of her husband. The French attendants appear to have neither requested their discharge nor mended their manners ; yet he suspended for many months their threatened dismissal, and he still tolerated the presence of Blainville, the French envoy commissioned to settle affairs connected with the queen's household and revenue ; a busy intriguer who, while he pretended to be empowered to treat concerning the accession of his master to the league against Austria, was in reality solely intent on fomenting the discontents of the English catholics, and encouraging the queen in opposition to the will of her husband. The populace of London, less forbearing than their sovereign, repeatedly insulted this emissary in the streets ; he even believed, or affect-

* The French attendants of the sisters of Henrietta, married to these countries, had been dismissed ; as had also the Spanish servants of the queen of Louis XIII.

† *Harleian MSS.* 6988.

ed to believe, his life in danger from their violence, and the earl of Holland wrote from Paris that he and his fellow-ambassador lord Carlisle, were likely to receive harsh treatment in retaliation of any affronts which might be offered him.

Emboldened by French protection, the English catholics inspired the government with so much jealousy, that sir Thomas Gerrard, a Lancashire recusant, was taken into custody on a charge of treasonable designs, and strict orders were issued by the council for the seizure of all arms found in the houses of recusant noblemen and others, and the execution of the penal statutes against them; special care however being taken, as secretary Conway wrote to Buckingham, to exempt from the search all persons nearly connected with his grace.

These steps, which like all others tending to cast a stigma on the Catholics were at this time certain of being hailed with general applause, may probably be in part regarded as an attempt of the administration to conciliate popularity against the impending meeting of parliament, and the resolution taken to abandon Montague to the resentment of the commons, bore the same aspect. At the same time however, some measures of an opposite complexion were adopted, resulting from the personal apprehensions of the duke, and his predominance in the royal councils.

A letter from sir Robert Ingram to sir Thomas Wentworth, written immediately after the dismissal of the lord keeper, thus unfolds the state of parties at the court. “. Coming up here into the South, I find your and my good friend removed from his place, and the seal given to sir Thomas Coventry. Another good friend of yours, which is my lord marshal [the earl of Arundel] hath the hand of the great duke upon him, who by his means hath brought the king that he will hardly speak with him. My lord chamberlain [the earl of Pembroke] and he hath been out, but by meditation of some friends there is a formal peace made between them. The duke's power with the king for certain is exceeding great; and who he will advance shall be advanced, and who he doth frown upon shall be thrown down. All the great officers of the kingdom be now his creatures and at his command. He hath now brought in sir Robert Heath to be attorney, and Mr. Shelton to be solicitor. He was and is possessed that there were four in the higher house, that upon any complaint that should come up of him to them, that they with all their strength should set it forwards there.

He is likewise possessed that there was divers combined against him in the lower house. For them in the higher house, it was my lord's grace of Canterbury, my lord keeper, my lord marshal, and my lord chamberlain. For them of the lower house, he doth conceive there were many who had their conferences with these four lords and others, that were depending upon them, among which you are not altogether free."*

What were the expedients adopted by Buckingham to free himself from the hostility of his opponents in the upper house will appear in the sequel. Those whom he principally dreaded in the commons, were incapacitated from being elected by having the office of sheriff forced upon them in the manner related in the following letter, also addressed by Ingram to sir Thomas Wentworth, of whose eminent talents and unbounded ambition the duke had thus early conceived a jealousy which does some honor to his penetration.

"Noble sir :

"God give you joy, you are now the great officer of Yorkshire, but you had the endeavors of your poor friend to have prevented it. But I think if all the council that was at court had joined together in request for you, it would not have prevailed : For it was set and resolved what should be done before the great duke's going over, and from that the king would not change a tittle. You go along with good company, five parliament men besides yourself, and a seventh cometh in to prevent him from doing hurt. Sir Edward Coke is captain, yourself, sir Francis Seymour, sir Robert Phillips, sir Guy Palmes, Mr. Edward Alford, and the last, who was not of the last parliament, is sir William Fleetwood. The judges proceeded in their course, and so it went to the king ; but when the names came to the king, the king declared himself that he had the names of seven that he would have sheriffs, and so named them himself and my lord keeper set them down. It was told me by two counsellors that in the naming of you, the king said you were an honest gentleman, but not a tittle to any of the rest. This much advantage you have that way. For your being chosen, my poor opinion is, that there did not any thing befall you in the whole course of your life that is, and will be, more honor to you in the public, who speak most strangely of it, &c."† The public did indeed "speak strangely" of an act so of-

* *Strafford Letters and Dispatches*, i. 28.

† *Strafford Letters*, i. 29.

sensitive in its character, and at the same time apparently so incompetent to its purpose : the duke, it might be thought, had taken a very inadequate measure of the danger which threatened him from the parliament, if he expected to avert it by the exclusion of half a dozen leading members ; but it was more to be apprehended that this step, designed for intimidation, would be followed up by others of a like nature, and all men looked with anxiety towards the approaching time of trial.

Some of these compulsory sheriffs conceived that they might nevertheless be returned members for any borough out of their own county : this was the declared opinion of sir Edward Coke himself ; and sir Francis Seymour offered to bring the question to a decision, by causing Wentworth to be elected for some place in the West, who in return should procure for him the representation of a town in Yorkshire. But this proposal was declined ; it was by no means the intention of Wentworth to sacrifice to the popular cause all hope of reconciliation and future favor at court ; and he prudentially decided, that this was a business in which it was better to be a spectator than an actor : a judgment of which his father-in-law the earl of Clare pronounced his approbation, because, as he expressed it, “ we live under a prerogative government, where book-law submits unto *lex loquens*,” and that “ it is not good to stand within the distance of absolute power.”*

The various preparatives for the coronation now occupied the attention of the court, and several circumstances marked strongly the spirit of Charles and his advisers. An order was issued, directing all persons possessed of landed property to the amount of 40*l.* per annum, either to come in and receive the dignity of knighthood, or compound for the omission. No one absolutely denied the legality of this command ; but the great depreciation in the value of money since the rate of knight's fees had been fixed, rendered its strict enforcement an act of great oppression, and the imposition of fines for neglect *at discretion*, was a violent stretch of prerogative. The choice of ecclesiastics to prepare and administer the king's oath, was the next point which afforded scope for remark ; and in nothing perhaps was the overbearing and vindictive temper of Buckingham suffered to display itself more offensively. The archbishop of Canterbury, his early patron,

* *Strafford Letters*, i. 31.

was indeed suffered to take his proper place in the ceremony, though now classed by the duke amongst his personal enemies; but Williams, whom he justly regarded, on account of his superior abilities, as more formidable, was peremptorily excluded from all participation in the solemnity. "A coronation," says the biographer of this prelate, "being usually accompanied with a general pardon, should have cast a frown upon none; yet his place was not granted him to do his homage among the spiritual lords, nor to assist the archbishop at the sacred parts of that high solemnity, as dean of Westminster."* The sting of this insult was envenomed by a seeming compliment. Some articles of the regalia being repositied in the custody of the dean of Westminster, by whom they were to be solemnly brought forth for the king's investiture, it was necessary that some substitute for him should be appointed, and Williams was requested to nominate one himself from among the prebendaries of the church. The snare was manifest; Laud was one of them; and to have passed him by to fix his choice on an ecclesiastic of lower rank, would have been to affront, without necessity or advantage, both the bishop and the duke his patron; on the other hand, to have conferred a mark of esteem on his known and inveterate foe and rival, would have passed for a trait of meanness and hypocrisy; he adroitly evaded the dilemma by transmitting to the king the names of all the prebendaries, and requesting that his majesty would make his own election. Laud was immediately named, and although three or four prelates, with the primate at their head, were appointed to consult for the arrangement of the ritual, it was in effect on the bishop of St. Davids alone that the business devolved; nor has he escaped heavy imputations respecting the manner in which he acquitted himself of the office.

That Laud had altered or omitted some clauses of the coronation oath favorable to popular rights, formed afterwards an article of his impeachment; but the charge is so far unfounded, that he appears to have been guided by the precedent of the oath administered to king James, which was followed verbatim. It is not denied however, that it was he who brought back into the ritual an ancient clause, discontinued for several reigns even before the reformation, by which the king was exhorted to give, greater honor to the clergy than the laity, as being those who come nearer to the

* *Life of Williams*, part ii. p. 67.

altar than others ; and another which seemed to ascribe to the king himself somewhat of a sacred sacerdotal character. He also thought proper to bring forth an old neglected crucifix and place it conspicuously on the altar. Buckingham officiated as lord-high-constable on the occasion.

The coronation of Charles, which took place Feb. 2nd, is described in a contemporary letter as "one of the most punctual since the conquest;" but in one principal circumstance of splendor it was deficient ; the presence and participation of the queen. We are told by sir John Finet, at this time assistant master of the ceremonies, that Henrietta refused to be crowned with her husband, as she must then have shared in a rite administered by protestant bishops ; she having made previously, without success, the monstrous demand, that the ceremony should be separately performed for herself by a prelate of her own religion. She would not even appear in the church as a spectator, but viewed the procession from a room over the palace gate.*

It appears from other authority, that at this period there was great dissension between the royal couple ; and Blainville chose likewise to absent himself on the occasion, not, as he said, that he was so extremely scrupulous, but because he had taken some offence in matter of ceremony : yet he did think it "incongruous" for him to be a spectator where his master's sister "excused her presence." The Venetian ambassador professed to entertain no scruples, because he regarded a coronation as a civil rite, but since Blainville had refused to attend, and no other ambassador except "the heretic Dutch" was to be present, he likewise declined to appear.† Such were the indignities to which the profession of protestantism at this time exposed the head of the Anglican church ! Unless we should rather say, such was the fraternal amity so lately pledged by the sovereign of France to the king of England ! It must however be confessed, that so long as the exercise of the protestant religion was forbidden in most catholic countries, and that of the Roman-catholic religion in England was visited with heavy civil penalties, greater courtesy could not reasonably be expected : and the prevalent emotion excited by those circumstances must be one of astonishment at the infatuation which could prompt a protestant prince so circumstanced, to form the

* Finet *Philoxenus*, p. 169.

† Ibid.

closest of all human ties with a princess strictly educated in the opposite profession.

As soon as the coronation was over, the king, "after three days silence, spoke graciously to the queen, but forbade the [French] ambassador the court," as the cause of their disagreement. Blainville hereupon removed to Greenwich, on which the king sent to the ports to stop all passage outwards, and dispatched a messenger with letters into France. He also remanded the ambassador to his lodgings at Durham house and diminished his daily allowance from sixty pounds to fifty.*

The new parliament was opened on Feb. 4, 1626, by the king in person; but the speech was delivered in his presence by the lord keeper. This oration was remarkable for a studied exaltation of the character and office of the sovereign, and a proportional abasement of the people and their representatives; who were prompted to reflect upon "that incomparable distance between the supreme height and majesty of a mighty monarch, and the submissive awe and lowliness of a loyal subject." Sir Heneage Finch, being chosen speaker, "made," says Whitelock, "an harangue suitable to the times; extolling the king, and praising monarchy, parliaments, bishops, lords, commons, laws, judges, and all that were in place, and inveighing against popery and the king of Spain."† But the popular representatives were neither to be awed nor flattered into the abandonment of their fixed purpose to make the overthrow of Buckingham and a material change of measures, the condition of their supplies. According to the prediction of Williams, this parliament began where the last had left off, with the consideration of grievances; which they reduced to heads and referred to different committees. The principal ones were the following. The diminution of the kingdom in strength and honor. The increase and countenancing of papists. The not guarding of the narrow seas. Plurality of offices in one hand. Sales of honors and places of judicature. The delivering up of ships to the French. The misemployment of three subsidies and three fifteenths. It was likewise ordered that the duke, on whom these charges principally reflected, should have notice of the intention of the house speedily to resume its debates on these matters.

Charles and his minister now sought a resource in the authority of the house of peers. At the king's suggestion, the lords appointed a committee to consider of the safety and de-

* Ellis's *Letters*, iii. 223. † Whitelock's *Memoirs*, p. 3.

fence of the kingdom ; and a report having been speedily prepared, in which it was declared expedient that two fleets should be immediately sent out, one for the defence of the British coasts, the other to act offensively against Spain, the lords desired a conference on the subject with the commons, who declined it however, with a civil intimation, that they should ever be careful of the national defence, and that they would also maintain their own privileges. They then resumed their debate on the conduct of the duke.

Again the king interposed by a more urgent demand of supply in the form of a letter to the speaker, stating, that because their "unreasonable slowness" might produce as ill effects at home as a denial, and hazard all abroad, he has thought fit thus to let the commons know, that without more loss of time he looks for an answer what they will give, according to his expectations and their promises, "wherein," he adds, "as we press for nothing beyond the present state and condition of our subjects, so we accept no less than is proportionable to the greatness and goodness of the cause." "And for the business at home," he concludes, "we command you to promise them in our name, that after they shall have satisfied us in this our reasonable demand, we shall not only continue them together at this time so long as the season will permit, but call them shortly again to perfect those necessary businesses which shall now be left undone ; and we shall willingly apply fit and reasonable remedies to such just grievances as they shall present unto us in a dutiful and mannerly way, without throwing an ill-odor upon our present government, or upon the government of our late blessed father ; and if there be yet who desire to find fault, we shall think him the wisest reprover of times past who, without reflecting backward, can give us counsel how to settle the present state of things, and to provide for the future safety and honor of the kingdom."

To this address, equally unconstitutional and ungracious,—since it demanded in the tone of a master supplies which former princes had been content to solicit as a boon, and which it was the undoubted right of the people, through their representatives, to grant or refuse at pleasure, whilst it prescribed to the parliament the subjects of their deliberations and the order of their proceedings ; and prohibited, in effect, all such inquiries into the malversations of public functionaries as it was not only the right but the duty of the house to institute with a view, if necessary, to the impeachment of offenders,—the commons returned an answer at once firm and temperate. They

assured his majesty of their love and loyalty, their zeal for his honor and greatness on all occasions, and especially for the success of the cause in which he and his allies were justly engaged ; “ And,” they added, “ because they cannot doubt but your majesty in your great wisdom, and even out of justice, and according to the example of your most famous predecessors, will be pleased graciously to accept the faithful and necessary information and advice of your parliament, which can have no end but the service of your majesty and the safety of your realm, in discovering the causes and proposing the remedies of these great evils which have occasioned your majesty’s wants and your people’s grief. They therefore, in confidence and full assurance of redress therein, do with one consent propose (though in former time such course hath been unused,) that they really intend to assist and supply your majesty in such a way, and in so ample a measure, as may make you safe at home and feared abroad ; for the dispatch whereof they will use such diligence as your majesty’s pressing occasions shall require.”

Charles, whether prompted by Buckingham or urged by his own rash and haughty spirit is uncertain, replied to their answer as follows :—

Mr. Speaker :—The answer of the commons delivered by you I like well of, and do take it for a full and satisfactory answer, and I thank them for it, and I hope you will with all expedition take a course for performance thereof, the which will turn to your own good as well as mine ; but for your clause therein of presenting of grievances, I take that but for a parenthesis in your speech, and not a condition ; and yet, for answer to that part, I will tell you, I will be as ready to hear your grievances as my predecessors have been, so that you will apply yourselves to redress grievances and not to inquire after grievances. I must let you know that I will not allow any of my servants to be questioned amongst you ; much less such as are of eminent place and near unto me : The old question was ; ‘ What shall be done to the man whom the king will honor ? ’ but now it hath been the labor of some to seek what may be done against him whom the king thinks fit to honor. I see you specially aim at the duke of Buckingham ; I wonder what hath so altered you. I do well remember that in the last parliament in my father’s time, when he was an instrument to break the treaties, all of you (and yet I cannot say all, for I know some of you are changed, but yet the house of commons is always the same,) did so much

honor and respect him, that all the honor conferred on him was too little ; and what he hath done since, to alter or change your minds, I wot not ; but can assure you he hath not meddled, or done any thing concerning the public or commonwealth, but by special directions and appointment, and as my servant, and is so far from gaining, or improving his estate thereby, that I verily think he hath rather impaired the same.

“I would you would hasten my supply, or else it will be worse for yourselves ; for if any ill happen, I think I shall be the last shall feel it.”

The commons forbore to reply upon their sovereign, but they proceeded with added zeal and vigor in their attack on his minister. Dr. Turner, a civilian, propounded to the house six queries respecting acts of mal-administration imputed to the duke by common fame, and the house, supported by the opinions of Selden, Noy, and other lawyers among its members, came to a resolution that common fame was a good ground for its proceeding either by inquiry, or by presenting the complaint to the king or the lords.

The next day, as the debate on this subject was proceeding, sir Richard Weston interposed with a message from the king, complaining of a seditious speech used in the house by Mr. Clement Coke, youngest son of sir Edward,—that it was better to be eaten up by a foreign enemy than destroyed at home,—and still more of Dr. Turner’s having “made an inquiry of sundry articles against the duke of Buckingham, as he pretended, but indeed against the honor and government of the king his late father. This,” he added, “his majesty saith is such an example that he can by no means suffer, though it were to make inquiry of the meanest of his servants, much less against one so near unto him, and doth wonder at the foolish impudency of any man that can think he should be drawn out of any end to offer such a sacrifice, much unworthy the greatness of a king and master of such a servant. And therefore his majesty can no longer use his wonted patience, but desireth the justice of the house against the delinquents ; not doubting but such course will be taken that he shall not be constrained to use his regal authority to right himself against these two persons.”

The house, referring the consideration of this lofty message to another opportunity, resumed its former topic in a tone which evinced in the majority a spirit above intimidation ; but they found leisure to make a vote for three subsidies

and three fifteenths, which was to pass into an act as soon as the grievances should be presented to the king and answered by him. This clause, by which a condition was unequivocally appended to the grant, filled the measure of Charles's indignation, and after the example of his father he sent for the two houses to Whitehall, to listen to an oration addressed to the commons only, and delivered partly by his own mouth, partly by that of the lord keeper, in which he professed to show them "their errors," in hopes they would amend them. These errors as explained by the lord keeper were, their omitting to punish either the speech of Clement Coke or the insolency of Turner, whose reproaches against the government of the king and his father they had on the contrary adopted ;—their persisting to accuse the duke contrary to the express prohibition of his majesty, who was the best judge of his actions ;—their suffering the privy council to be traduced in that house by men whose years and education could not attain to that depth, and finally, the inadequacy of the supply which they had voted, and the manner of it, which was "dishonorable and full of distrust." They were *commanded* to amend these faults by yielding to the *directions* they had already received, and ceasing this, "unparliamentary inquisition" into abuses which were to be left to the correction of the king himself ; and with respect to the supply, they were *commanded* to go together, and by Saturday return their answer how much they would add to it, which unless they did, and unless the supply were ample, and without condition express or implied, his majesty would no more expect a supply this way, nor suffer them to sit longer. If they should listen to this "*gracious admonition*," his majesty was ready to forget the past.

The king now spoke again ;—he desired to remind them that *they* had made him their instrument with his father to break the treaties ; and added, "Now that you have all things according to your wishes, and that I am so far engaged that you think there is no retreat ; now you begin to set the dice, and make your own game ; but I pray you be not deceived ; it is not a parliamentary way, nor a way to deal with a king. Mr. Coke told you it was better to be eaten up by a foreign enemy than to be destroyed at home ; indeed I think it is more honor for a king to be invaded and almost destroyed by a foreign enemy than to be despised by his own subjects.

"Remember that parliaments are altogether in my power for their calling, sitting, and dissolution ; therefore, as I find the fruits of them good or evil, they are to continue or not

to be ; and remember that if in this time, instead of mending your errors, by delay you persist in your errors, you make them greater and irreconcilable. Whereas on the other side, if you do go on cheerfully to mend them, and look to the distressed state of Christendom, and the affairs of the kingdom, as it lieth now by this great engagement, you will do yourselves honor, you shall encourage me to go on with parliaments, and I hope all Christendom shall feel the good of it."

The commons, on their next meeting, resolved themselves into a grand committee to debate with locked doors on the resolutions to be taken respecting these manifestations of the royal will ; and his majesty learning that his commands and directions were "subject to misunderstanding," appointed Buckingham, at a conference of the two houses, to explain, or, in other words, to relinquish both the peremptory demand of supply by a certain day, and the prohibition to discuss grievances. He was also to offer a defence of his own conduct and administration ; but this late and awkward retraction could no more be accepted as an atonement for the insulted dignity and violated privileges of an English house of commons, than the plausible explanations of the duke, unsupported by witnesses or documents, could be received as a satisfactory answer to the serious charges which it was believed could be substantiated against him ; and they proceeded to embody their sentiments in a remonstrance. After some previous explanations of their conduct, it is thus firmly and zealously that they defend the right and utility of parliamentary impeachment : " We humbly beseech your majesty to be informed by us your faithful commons, who can have no private end but your majesty's service and the good of our country, that it hath been the ancient, constant, and undoubted right and usage of parliaments to question and complain of all persons, of what degree soever, found grievous to the commonwealth in abusing the power and trust committed to them by their sovereign. A course approved not only by the examples in your father's days, of famous memory, but by frequent precedents in the best and most glorious reigns of your majesty's noble progenitors, appearing both in records and histories ; without which liberty in parliament, no private man, no servant to a king, perhaps no counsellor, without exposing himself to the hazard of great enmity and prejudice, can be a means to call great officers in question for their misdemeanors, but the commonwealth might languish under their pressures without redress : And

whatsoever we shall do accordingly in this parliament, we doubt not but it shall redound to the honor of the crown, and welfare of your subjects." With respect to supplies, they desire his majesty to put confidence in their promises of support, and generally, not to give ear to the reports of private persons for their own ends, nor to judge their proceedings whilst in agitation, but to expect the issue and conclusion of their labors.

To this unwelcome address, the king declined to give any present answer, and the court party in the commons carried by a small majority an adjournment of a week, to give him leisure for concerting his further measures. In the meantime, several transactions had occurred concerning members of the house of peers, too important as examples of the spirit of despotism exhibited by the king and his ruling counsellor, to be lightly passed over.

Buckingham had succeeded, as we have seen, in depriving bishop Williams of his office of lord keeper, in driving him from the council-board, and banishing him to his episcopal seat of Buckden. He had also caused him to be prohibited from tendering the performance of any of his official functions at the coronation; and with a view to humble his spirit still more, and deter him from entering the ranks of opposition, spies were set over him, prejudices were excited against him in the mind of the king, dark hints were dropped of an impending prosecution for misdemeanors not specified, and Buckingham even threatened, in defiance of fundamental laws, to deprive him of his bishopric. But Williams was not of a temper to desert himself and his fortunes, and whilst he cautiously avoided any act which might bring him within the scope of a star-chamber prosecution, or which might even render his breach with the court irreparable, he cultivated his interest in the country,—kept his house hospitably and popularly open to men of all parties, showed some countenance to that class of divines who were under displeasure with the king, and thus proclaimed himself as a chief who, far from acquiescing in his exclusion from public life as final and irreversible, confidently anticipated a speedy recall, either by entering into a composition with the favorite, or by conspiring with his other enemies to effect his ruin.

At present, Buckingham, who had given his confidence to Laud, was rather inclined to brave than to conciliate his rival; but judging it expedient to deprive him of the means of exerting his hostility in parliament, he rashly procured from his

infatuated master the unheard-of command, that no writ of summons should be issued to the bishop of Lincoln. Williams, who had silently acquiesced in his exclusion from offices of pure ceremony, did not think proper to submit with the same passiveness to a denial of the most important of the civil rights attached to his rank ; and whilst he represented to the king that he was willing, in obedience to his gracious pleasure, to abstain from attending the parliament in person, he strongly insisted on receiving a writ of summons, as a thing which under the last reign had not been denied even to prisoners and condemned persons, and without which he could not make a proxy. After a hard contest,—for the king struggled to have at least the nomination of the proxy, and proposed one disagreeable to the bishop,—he carried his point, and lodged his procuration with Andrews the venerable bishop of Winchester.*

In a letter addressed by Williams to the king on this business, after a spirited remonstrance against the injuries done him by Buckingham, and the calumnious reports by which he had blackened him to his sovereign, we find the following striking representation of the evil effects of his majesty's blind devotedness to the dictates of an arrogant favorite. "My case, dread sovereign, is miserable ; and the more because it is not mine alone. Your commands come immediately in your own name, and therefore must be readily obeyed. Your graces are strained through the hands of another, and therefore are either not at all, (as in my case,) or not so purely and sincerely received. And when your majesty punisheth, (pardon a truth plainly delivered, which you were wont to love, dread sovereign ;) you do it not like yourself, because you do it not yourself. A king, be he never so severe, when he chasteneth his subjects, doth punish them with justice because they are his subjects ; but yet with mercy because they are his own. An angry lord that makes bold with the king's authority, lays on load, as upon men, and that without mercy, as upon the subjects of another. . . . And in my case for the present, if I should stand upon my right, and refuse your majesty, I must expect all severity, because another hath your rod. If I shall yield and obey, I must hope for no acceptation, because another holds the garland. And for this other, if I seek him, my letters are showed, and I am made foul and guilty ; if I let him alone, I am deprived of the sun and the rain, the ordinary graces and

* *Life of Williams*, part ii. p. 68.

influences of your majesty. Lastly, when I know, and all the world besides, that I sink only under the causeless malice of a subject, yet doth that great man wash his hands, and publish to the vexation of my honest soul, that I lie buried under the immediate hatred of my sovereign. And therefore, with a humble protestation against fear of punishment, which cannot fall upon my innocency, or hope of favor, sure to be kept back by the greatness of my adversary ; I do, out of religious duty and mere obedience to your sacred majesty, and no other respect whatever, send this proxy for my lord of Winchester.”*

Another opponent, who had been still more deeply injured by the duke, and of whose retaliation, at this crisis of his fortune, he stood in greater dread, was the earl of Bristol. By two years' patient and courtier-like endurance of unjust persecutions and arbitrary restraint, this statesman had vainly striven to expiate his knowledge of the accumulated misdemeanors of the favorite respecting the Spanish negotiations, and the falsehoods in which he had involved both himself and Charles by his narrative to parliament of these transactions ; and should despair, or the hope of vengeance now urge him to a public disclosure of these circumstances, Buckingham might fear lest the king would be compelled, for the sake of his own honor, to disgrace the adviser or partner of so much baseness. To avert this danger seemed perhaps as much the interest of the sovereign as the minister, and command was given that the earl of Bristol's writ of summons should likewise be withheld. A short time before, they had sought to intimidate him by subjecting him to an examination by certain lords-commissioners on several articles ; but to these his answers had proved so clear and satisfactory that the commission was never called upon to make a report, yet he was now asked whether he would put himself upon his trial, or be content to sit still and take the benefit of a general pardon of king James, and of the king's coronation pardon ; and whether, in the last case, he would forbear to cast dishonor upon the king by asserting his own innocence. In reply, Bristol declined to renounce the benefit of the pardons to which he was entitled ; but he required to know whether it was intended to restore him to the common rights of a free man and a peer, and he absolutely refused to forgo the power of asserting and proving his innocence to his family and

* *Life of Williams*, part ii. p. 69.

friends. Soon after, convinced that he had nothing to hope either from the favor or the justice of his sovereign, he took the decided step of presenting a petition to the house of lords, showing that he, a peer of the realm, had not received his summons to parliament, desiring their lordships to mediate with his majesty that he might enjoy the liberty of a subject and the privilege of the peerage, and praying that if any charge be brought against him, he may be tried by parliament.* The business having been referred to a committee of privilege who reported that the house ought to beseech his majesty to send writs to the earl of Bristol and to such other lords whose summonses had been stopped without lawful cause, Buckingham signified to the house, that the king had already sent the earl his writ, but accompanied by a letter which he read, in which, to serve the present purpose, Charles in a rude and harsh style, revived against the earl the charge of attempting to induce him, when at Madrid, to renounce his protestant faith.

In a second petition, the earl acquainted the house that, thanks to their intercession, he had indeed received his writ, but along with it a letter from the lord keeper, commanding him in his majesty's name to forbear his personal attendance, and referred it to their wise consideration "how far this may trench upon the liberty and safety of the peers and the authority of their letters patents, to be in this sort discharged by a letter missive of a subject without the king's hand." He went on to impute all the wrongs he had endured to "the power and industry of the duke," who sought to keep him from the presence of the king and parliament lest he should disclose many crimes concerning him, and he beseeched the house to mediate with the king that he might come to parliament, there to be heard in accusation of him. Charles, in return, sent a message to the peers signifying that he had heard of a petition preferred by the earl of Bristol to the house, "so void of duty and respects that he hath great cause to punish him;" and that being resolved to put his own cause against the earl upon the honor and justice of the house, it was his royal pleasure that he should be sent for as a delinquent, to answer his offences committed both in the Spanish negotiation and since; and his scandalizing the duke of Buckingham immediately, and by reflection his majesty, "with whose civility and directions the duke did guide his actions."

* Rushworth, i. 240. *et seq.*

Nothing could be plainer, than that the charge thus brought against Bristol for acts which, if any offences at all, had been expressly covered by royal pardons, was merely an artifice designed to put him out of a capacity of prosecuting his accusation against Buckingham, and the peers, viewing it in this light, declared that they would nevertheless receive his articles against the duke and his instrument secretary Conway; and they further resolved that the testimony of the earl should not be "prevented, prejudiced or impeached" by it. Accordingly, on May 1st, Bristol tendered his accusation, being himself brought up in custody of the gentleman-usher, to answer the charge of the king, which was to have the precedence; but on which the lords absolutely refused to commit him to the Tower.

Baffled in this design, the king and his favorite sought to avail themselves of expedients equally unconstitutional and still more iniquitous. They made an attempt to carry the cause out of the jurisdiction of the house of lords into the King's bench, where the prisoner could be assisted by no counsel, could examine no witnesses against the king, and could not be informed of the charges against him in convenient time to prepare his defence; and by an arraignment in which court he might be disabled from making good his charge against the duke. On all which accounts, as well as because it was an unexampled infringement on the privileges of the peerage, and the honor and justice of the house, the earl of Bristol petitioned the lords against such a proceeding. The judges being hercupon questioned how a peer impeached of high-treason should be tried, and answering that it must be before his peers in parliament, this scheme was also, of necessity, abandoned. The king, who had caused himself to be named as the earl's accuser to the house, now came forward with a strange offer to appear himself in the capacity of a witness against him respecting certain transactions in Spain, and on reference being made by the lords to the judges to know whether his majesty could lawfully be a witness in a case of high-treason, they received the royal command not to answer the question. But all these efforts to oppress an innocent man by acts of power, served only to interest the parliament and people the more strongly in his behalf, and to aggravate the odium against Buckingham, no small portion of which now began to be reflected on a master who took so much pains to identify himself with the most obnoxious acts

of his minister, and evinced so fixed a resolution to protect him at all hazards.

The case of the earl of Arundel was another and, if possible, a still grosser attempt upon the privileges of the peerage, and one which plainly warned them to unite more firmly in their common defence. Shortly after the meeting of parliament, this peer, the known enemy of Buckingham, and the holder of five proxies, which, as well as his own vote, were lost by his absence, had been committed to the Tower by warrant from the king without any special cause assigned; though it was given out to be on account of a marriage privately contracted between his son lord Maltravers and the sister of the duke of Lenox, a lady of the Stuart family and his majesty's ward. In the first instance, the peers contented themselves with inquiring the cause of the earl's absence from the house; to which the lord keeper answered, that he was restrained for a misdemeanor personal to his majesty, which lay within his own knowledge, and had no relation to matters of parliament. Next day, the king by message avowed this answer, and affirmed it to be no invasion of the privileges of the peerage. The lords on this appointed a committee of privilege to search the records, who could find no precedent of the committal of a peer during the sitting of parliament but by judgment of the house itself, unless in cases of treason, felony, or breach of the peace. A petition and remonstrance to the king, claiming the earl's release as of undoubted right, was in consequence carried unanimously, and a committee appointed to present it to his majesty for his answer. The king demurred, promising a reply in convenient time. After several fruitless applications, the house presented on May 9th a fresh petition, in which they declared themselves humble suitors for a gracious and *present* answer. Charles, taking fire at the word *present*, answered, in his rude and choleric style, that he had never known such a message from one house to the other, and when he received a message fit to come from them to their sovereign, they should receive an answer. Omitting only the word at which offence had been taken, the house again tendered its petition, and again received a dilatory answer. On May 19th they presented a fresh petition; the king in reply affected to take umbrage at their importunity as a mistrusting of his promises, and reasserting his pretended right of committing for an offence directly against himself, added, for their further satisfaction, that he had also things of far greater im-

portance to lay to Arundel's charge, which however he would not yet disclose, because they were not "ripe," and it would greatly prejudice his service.

Again the committee of privileges met, and still another petition was presented, to which no better answer being returned than an admonition from his majesty not to distrust him, and a promise that he would give them satisfaction before the end of the session, the house took at length the efficacious resolution of adjourning, and entertaining no other business whatsoever till their member should be restored to them. Finding them determined, the king, on June 8th, with undisguised reluctance, at length liberated the earl of Arundel. As his majesty never brought forward in any shape the highly important charges which he said he had to make against this nobleman, but on the contrary shortly after admitted him to his presence, and subsequently conferred upon him offices of high honor and trust, it is impossible to regard his assertions on this subject in any other light than deliberate falsehoods employed for the purpose of deluding the peers into an acquiescence in the violation of the most sacred and indispensable of all their privileges as members of the legislature.

Meantime, the house of commons were busied in preparing their impeachment of the duke, and at a conference with the lords, thirteen articles of accusation were presented by the eight managers to whom this business had been specially intrusted, amongst whom were included the patriots Pym, Selden and Eliot, serjeant Glanville, sir Dudley Digges, lately ambassador to the Czar and afterwards master of the rolls, and Christopher Wandsford the relation and confidential agent of Sir Thomas Wentworth. Sir Dudley Digges opened the business in "an eloquent speech," according to the state of the times, in which "he compared England to the world, the commons to the earth and sea, the king to the sun, the lords to the planets, the clergy to the fire, the judges and magistrates to the air, and the duke of Bucks, to a blazing star." The other managers successively enlarged on the several articles, which turned chiefly on the following charges: His sale of offices and titles of honor, his accumulation of these and of pensions upon himself and his family, and the corrupt trafficking by which he had procured the surrender of places to himself;—his neglect of the duties of lord-high-admiral;—his unwarrantable seizure of goods out of a French ship;—his extortion of the sum of £10,000 from the East India Company by staying their vessels from sailing;—his causing the

Vanguard and other ships to be given up to the French, knowing them to be designed against La Rochelle ;—his embezzling the king's money, and procuring to himself grants of crown lands to a great value, and his causing a plaister and portions to be given to king James in his last illness; styled "a transcendent presumption of a dangerous quality."

Digges and Eliot, after their speeches delivered on this occasion, were beckoned out, under pretence of a message from the king, and committed to the Tower, and Charles coming to the house of lords attended by the accused favourite, avowed the act; and also offered himself as a witness in the duke's behalf, declaring that he could clear him of every one of the matters laid to his charge. The peers, unwilling to carry matters to extremity against a minister thus protected, declined compliance with a message of the lower house requesting that the duke might be committed to custody; and Buckingham made on the occasion a braving speech, desiring that his trial might be hastened, and complaining of the malice of his accusers. On the other hand, the commons, resenting the imprisonment of their members, would proceed with no other business till this wrong to their liberties should be repaired; and they had resolved themselves into a grand committee to deliberate on the steps to be taken, when sir Dudley Carlton, whose long employment in foreign embassies had rendered him familiar with the laws and manners of other nations, and a stranger to the constitution and spirit of his own, took upon him seriously to admonish the house to beware how they trenched upon the king's prerogative, lest, by incensing him, they should enforce him to use new counsels, that is, as he explained himself, to follow the example of other kings, who finding their own strength, had overthrown for their turbulency the parliaments by which all christian kingdoms had been formerly governed "in a most flourishing manner," and had reduced their subjects to hunger, nakedness, and the most deplorable misery, by arbitrary taxes and oppression. "Let us be careful then," concluded the orator, "to preserve the king's good opinion of parliaments, which bringeth this happiness to this nation, and makes us envied of all others, while there is this sweetness between his majesty and the commons; lest we lose repute of a free-born nation by our turbulency in parliament." On the conclusion of this speech, several members, moved by the audacious and unheard-of menace, exclaimed, "To the bar, to the bar!" and would have brought the courtier to beg pardon on his knees.

Rightly considered however, it was the king himself who had most cause to be indignant at this intimation of the existence of designs on his part calculated, by the very statement of the speaker, to reduce the whole people of England to slavery, beggary, and wretchedness. It is difficult to believe that Charles had actually formed intentions so atrocious ; but king James had pretty openly asserted the doctrine, that kings made, as it were, a species, every individual belonging to which was, by right divine, invested with all the powers which had been anywhere, or at any time, attached to the character : nothing therefore was more likely to arouse suspicion than any reference to the example of foreign absolute princes ; and who that truly knew the spirit of the people, could doubt that a threatened attack upon the most sacred sanctuary of English liberty would prove an alarm to the defence, not a signal for surrender ?

With respect to the two imprisoned members, sir Dudley Carlton stated that Eliot was committed for urging too bitterly against the duke the charge of taking for his own profit valuable commodities out of a French ship, in retaliation of which the goods of English merchants were seized in France ; and for treating so great a person with too little ceremony, calling him "this man." Digges was charged with saying in reference to the remedies administered to king James, "that he did forbear to speak further, in regard of the king's honor ;" but the members of both houses solemnly attested that he had employed no such expressions ; and this attempt at intimidation having failed of its purpose in a manner hereafter to be explained, the two members were released.

The duke of Buckingham, though attainted by the commons of high-treason, was neither imprisoned, as we have seen, nor restrained from sitting and voting with the peers who were to be his judges ; in the court and the council he was still paramount, and his audacity carried him so far as to move in the house of peers that the crown lawyers might be allowed to conduct his defence. On this subject Hacket gives us the following very curious particulars. "The duke demanded that the attorney general might plead for him in the house of peers against the charge transmitted by the commons, which was opposed, because the attorney was one of the king's learned counsel, and sworn, to plead in causes concerning the king, and not against them. And the king is supposed to be ever present in the noble senate of the lords. It was rejoined, that the king would dispense with the attor-

ney's oath : It came to a case of conscience, and was referred to the bishop [of Lincoln's] learning. Some of them judged for the duke, that this was not an assertory oath, which admits no alteration, but a promissory oath, from which promise the king, if he pleased, might release his learned counsel. Bishop Felton, a devout man, and one that feared God, very learned, and a most apostolical overseer of the clergy whom he governed, argued, that some promissory oaths might indeed be relaxed, if great cause did occur ; yet not without great cause, lest the obligation of so sacred a thing as an oath should be wantonly slighted. And in this oath which the attorney had taken, it was dangerous to absolve him from it, lest bad example should be given to dispense with any subject that had sworn faithful service to the crown ; for which plain honesty he was wounded with a sharp rebuke. And the reverend author told me this with tears.* That a case of conscience should ever have been made of a point so plain in law and reason as the duty of an attorney general in an impeachment of high-treason, is an astonishing proof of that unfortunate addiction to casuistry which, in many subsequent instances, enabled this misguided prince to palliate to his own conscience those violations of faith or truth which rendered him despicable in the eyes of his subjects ; and since Buckingham certainly received in private the assistance of the crown lawyers, it is probable that had the cause come to a hearing, in despite of the judgment of the bishop who " feared God," the peers would have been called upon either to sanction or rebuke so gross an irregularity.

The defence read by the duke in the house, was a temperate and well-constructed plea, but certainly not of a kind to establish his innocence. The acts of corruption or extortion are either denied, explained, or extenuated ; the loan of ships to the French is *slurred over* ; many things are defended by the unconstitutional plea of the privity or direction of the king himself ; and in conclusion, the benefit of the general pardon of king James and the coronation pardon of his son, is distinctly claimed. Having delivered this answer, Buckingham urged the lords to send to the commons to expedite their reply, and the commons as earnestly desired a copy of his defence.

While the impeachment of the duke was yet pending, the

* *Life of Williams*, part ii. p. 70.

office of chancellor of the university of Cambridge becoming vacant by the death of the earl of Suffolk, Charles was induced to give a memorable token of his blind attachment to his minister, and a no less memorable one of his hostility to the commons of England and disdain of all decent observances towards them, by recommending him to this distinguished station. Of the means used to procure the duke's election, the zealous servility of the Arminian clergy, and the indignant feelings excited in the more respectable members of the university, the following extract of a letter written on the spot by Mr. Mead, and addressed to sir Martin Stuteville, may serve as a monument.

" Our chancellor my lord of Suffolk died on Sunday about two o'clock in the morning ; which no sooner came to our ears on Monday, but about dinner time arrives Dr. Wilson, my lord of London's chaplain, without letters, but with a message from his lord that we should choose the duke ; such being his majesty's desire and pleasure. Our Heads met after the sermon, when by Drs. Wren, Beale, Maw and Pask, this motion was urged with vehemency, and as it were confidence of authority ; that the rest were either awed or persuaded ; and those that would not, yet durst not adventure to make further opposition, though they inclined, if it be lawful to say so, to more advised counsel. It was in vain to say that Dr. Wilson's bare word from his lord was no sufficient testimony of his majesty's pleasure ; nor such as might be a ground of an act of such consequence as that we should by this act prejudice the parliament : that instead of patronage we sought for, we might bring a lasting scandal and draw a general contempt upon the university as men of most prostitute flattery : that it would not be safe for us to engage ourselves in public differences : that at least, to avoid the imputation of folly and temerity in the doing, it would be wisdom to wait our full time of fourteen days, and not to precipitate the election. To this it was answered ; ' the sooner the better, and the more acceptable.' If we stayed to expect the event in parliament, it would not be worth ' God ha' mercy.'

" Upon the news of this consultation and resolution of the Heads, we of the body murmur, we run one to another to complain. We say the Heads in this election have no more to do than any of us, wherefore we advise what to do, and who to set up. Hereupon, on Tuesday morning, notwithstanding every Head sent for his Fellows to persuade them for the duke, some durst be so bold as to visit for the contrary

in public. But the same day . . . the bishop of London arrived unexpectedly, yet found his own college, Queen's, most bent and resolved another way, to his no small discontentment. At the same time comes to town Mr. Mason, my lord duke's secretary, and Mr. Cozens, and letters from my lord of Durham, expressly signifying in his master's name, as they told and would make us believe, that his majesty would be well pleased if we chose the duke. My lord bishop labors, Mr. Mason visits for his lord, Mr. Cozens for the most true patron of the clergy and of all scholars. Masters belabor their Fellows. Divers in town got hackneys and fled to avoid importunity. Very many, some whole colleges, were gotten by their fearful masters, the bishop and others, to suspend, who otherwise were resolved against the duke, and kept away with much indignation : and yet for all this stir, the duke carried it but by three votes from my lord Andover, whom we voluntarily set up against him, without any motion on his own behalf, yea without his knowledge. We had but one Dr. in the whole town durst, for so I dare speak, give with us against the duke. What will the parliament say to us ? Did not our burgesses condemn the duke in their charge given up to the lords ? Pray God we hear well of it ; but the actors are as bold as lions, and I half believe would fain suffer that they might be advanced."*

Charles addressed to the university a public letter of thanks for their obedience to his royal mandate, taking occasion at the same time to praise and vindicate the duke : the parliament on the other hand, highly incensed at such an insult upon their proceedings, had entertained the design of visiting the principal actors with some marks of their displeasure, when they were interrupted by an admonition to forbear interfering in a matter which, as the king affirmed, lay entirely within his royal cognizance.

His majesty now thought proper again to urge the commons to pass their bill of subsidy with such speed as was required by the great preparations of the enemy, of which they had daily advertisements ; warning them as before that any delay beyond a day which he fixed would be taken by him as a refusal, and force him upon other resolutions. By way of retort, the commons presented a petition for the removal of all recusants, and even of suspected papists and those whose wives and children were such, from all places of authority and gov-

* Ellis's *Letters*, iii. 228.

ernment ; subjoining a list of ninety-five noblemen and gentlemen against whom they particularly excepted ; at the head of which stood the earl of Rutland, father-in-law to the duke. They likewise directed their speaker to read to the king an answer to his letter, in which, in urgent indeed but respectful and affectionate language, they, on their parts, required the removal of Buckingham from the royal presence and counsels, as being, by his misrepresentations of their proceedings, the sole cause of the interruption and delay of the measures which they had designed for his majesty's service. But nothing could move the stubborn spirit of Charles on a point which he had so completely identified with the assertion of his own authority as the protection of his hated minister, and he quickly announced to the upper house an immediate dissolution of parliament. Alarmed for the consequences of an act which must of necessity draw on the violation of every principle of constitutional government, the lords in an earnest petition implored him to lay aside this rash resolution, as the sole means of averting great and apparent dangers both at home and abroad, and of preserving to his majesty the affections of his subjects. They also sent a deputation to entreat him to give audience to the whole house on this business, which was refused : and to their final supplication that he would at least suspend his resolution for a few days, he peremptorily replied—"Not a minute !"*

The commons, assembling in haste, drew and voted a remonstrance, which the dissolution by commission on June 15th prevented them from delivering. Its leading topics were the misconduct of the duke, to whom the dissolution of this and the preceding parliament is ascribed, and the misconduct of those ministers by whose advice his majesty had been induced to levy the duties of tonnage and poundage without the grant of parliament. But by far the most memorable passage is the following exposure of the remarkable circumstances attending the apprehension of Digges and Eliot, with which the parliament thus reproaches the king, under the constitutional form of making him acquainted with the facts. ". . . . For whereas, by your majesty's warrant to your messengers for the arresting of them, you were pleased to command that they should repair to their lodgings and there take them ; your majesty's principal secretary the lord Conway gave the messengers, as they affirmed, an express com-

* Saunderson's *Reign of King Charles*, p. 58.

mand, contrary to the said warrants, that they should not go to their lodgings, but to the house of commons, and there take them, and if they found them not there, they should stay until they were come into the house, and apprehend them wheresoever they should find them. Which, besides that it is contrary to your majesty's command, is an apparent testimony of some mischievous intention there had against the whole house of commons."*

That the immediate intention of the king on this occasion was rather to strike terror into the house by the manner of the arrest, than to secure the persons of the two members, appears certain from their immediate liberation on the failure of this part of the scheme.—The prudence of the messengers in obeying the terms of the warrant rather than the verbal directions of the secretary, perhaps saved the nation at this time from the crisis which Charles's memorable attempt to seize the five members in the body of the house brought on several years later ; and the conformity of the two designs goes far to fix the contrivance in both cases on the king himself ; since his confidential advisers were all changed in the interval.

The parliament caused their remonstrance to be printed ; the king on the other side published a declaration in which he endeavored to throw from himself upon them the reproach of impeding the public service ; he likewise issued a proclamation against the remonstrance, commanding, upon pain of his indignation and high displeasure, all persons of whatsoever quality possessing copies of the same to burn them, that it might be utterly forgotten, and " never give occasion to his majesty to renew the memory of that which out of his grace and goodness he would gladly forget."

Such were the terms on which the youthful monarch parted with the second parliament of his reign !

* Rushworth, i. 406.

CHAPTER V.

1626 to 1628.

Arbitrary measures.—Illegal levy of tonnage and poundage.—Loan.—Benevolence.—Composition with recusants.—Conduct of Charles as head of the church.—Influence of Laud.—Favor shown to Arminians.—Opposite notions of Abbot and Laud respecting the church of Rome.—Government unpopular in church and state.—Dismissal of the queen's French servants.—Embassy of Bassompierre.—Buckingham the cause of war with France.—Bassompierre's description of the English court.—A loan imposed by the council.—Gentlemen imprisoned for refusing to contribute.—Sir Thomas Wentworth.—Chief-justice Crew displaced.—Abbot commanded to his country seat.—Sibthorpe's sermon.—Catholics contribute to the loan.—Toleration of them in Ireland opposed by the bishops.—Loan-refusers denied their habeas corpus.—Expedition to the Isle of Rhé.—Affectionate letters of Charles to Buckingham.—Necessity of calling a parliament.—Liberation of state-prisoners.—Writs sent to Williams, Abbot and the earl of Bristol, but no change in the king's designs.—Commission of excise.—Troops and arms prepared in the Low Countries.

THE strain of the royal declaration setting forth the motives of the late dissolution of parliament seemed to threaten a long discontinuance of these assemblies, and the people awaited in anxious suspense the results of the "new counsels" by which affairs were henceforth to be conducted. They were not long permitted to doubt either of the nature of these counsels or of the spirit in which it was designed to pursue them. The earl of Bristol, sir Dudley Digges, and sir John Eliot were immediately remanded to their illegal confinement, whilst a kind of mock proceeding was instituted against the duke of Buckingham in the Star-chamber for irregularly administering remedies to king James in his last illness ; but the charge was never permitted to come to a hearing. A false alarm of invasion was got up, and the king and council, on the plea of this pretended emergency, took authority to levy supplies on the people. It was ordered that the duties of tonnage and poundage should be paid in the

same manner as if they had been granted by parliament; loans were required in the king's name from the nobility and other men of property, and a particular one to the amount of 100,000*l.* from the city of London: the sea-ports and maritime counties were required to furnish ships for the navy; a benevolence, or free gift, was demanded from the people in general, equal in amount to the intended parliamentary subsidies, and a commission was granted to the archbishop of York and others to compound with the Roman catholics in the northern counties for all acts of recusancy committed by them since the tenth year of king James, or which should be committed by them in future for any term not exceeding forty-one years; such compositions to be held good, any law or statute to the contrary notwithstanding, and the produce to be applied to the naval defence of the kingdom. Commissions of muster and array were likewise issued to the lord lieutenants, with large powers, unwarranted by the constitution, of executing martial law in case of "invasions, insurrections and riots." A defeat being at this time sustained by his majesty's uncle and ally the king of Denmark, a fast-day was appointed, on which the clergy were required to explain to their flocks the necessities and dangers of the state, and to enforce upon their consciences the pretended religious duty of complying with the demands of their sovereign, though contrary to law. To secure the hierarchy as his ally, or accomplice, in rendering himself independent of the control of parliaments, had indeed been from the first a design labored by Charles with extreme assiduity, and it will be proper to point out the steps which he had already taken towards this end in his character of head of the church.

Before the death of king James, bishop Laud had already succeeded, by an assiduity and subserviency unexcelled by any of the lay parasites, in firmly fixing himself in the favor of Buckingham, and through him of the king. He was constant in his attendance at court; during the illness of Neil bishop of Durham he had officiated as clerk of the closet; he served the duke in the capacity of confessor, and was employed by him in many secret services; and though but an aspirant as yet to the higher seats on the episcopal bench, he might already be regarded as filling the more important political station of secretary for ecclesiastical affairs. In the first days of the reign he had supplied the duke with a list of churchmen having the letters O and P, for orthodox and puritan, affixed to their names, to serve the king as a guide in the

distribution of preferment. He was likewise sent to inquire of bishop Andrews, "what he would have done in the cause of the church," especially with respect to the Calvinistic articles sanctioned by the synod of Dort with the concurrence of king James's divines, commonly called "the five articles." But this mild and virtuous prelate discouraged, as unseasonable and inexpedient, all those unpopular innovations, whether in doctrine or discipline, which the impetuous Laud was on fire to begin.

On the first agitation of the charges against Buckingham in the house of commons, the king, sending for all the bishops, graciously reprov'd them because "in this time of parliament they were silent in the cause of the church, and did not make known to him what might be useful or prejudicial to it;" at the same time professing his readiness to promote its interests. Having thus conciliated the prelates, he enjoined them, in the causes depending between the duke of Buckingham and the earl of Bristol, "to follow their own consciences, and be led by proofs, not by reports," meaning, no doubt, that they should not be influenced by that "common fame" against the duke on which the house had grounded its proceedings. Some time afterwards, Laud had prevailed upon two other bishops to join him in the petition already mentioned, addressed to the duke in favor of Montague, and although Charles and Buckingham found it expedient to withdraw from this furious partisan their open protection, Laud was permitted to give him a private assurance of the royal favor. From all these indications, it could not fail to be generally understood that Arminian principles in divinity, what have since been called high-church principles with respect to discipline, rites and ceremonies, and in politics, the doctrines of passive obedience and the divine right of kings, were henceforth to be the indispensable passports to church preferment. Accordingly, the royal directions to preachers, by which they were prohibited from treating upon controverted points of theology, were understood as designed to be enforced against the Calvinistic party alone. The court bishops or the chaplains, whose license for the publication of books, though required by no law of the land, was now necessary to protect the authors from prosecution in the Star-chamber, were careful to give currency to all works in support of the fashionable system, and to suppress those on the contrary part; and Laud, a lofty asserter of the power of the church and of a divine right of bishops, the counterpart of that of kings, found-

ing his schemes not no the maxims of the English constitution, but on the Romish canons and the precedents of what he styled "uncorrupt antiquity," began to announce that ecclesiastical discipline should henceforth be a thing felt as well as *talked* of; and that the high as well as the low, laity as well as clergy, should be taught to bow beneath its yoke.

For the present however, the enterprises of Laud found some check from the opposition of archbishop Abbot, who took a very different view of protestant doctrine, and of the line of conduct which it became the Anglican church to pursue. This prelate, in common with most of the foreign protestants, traced the succession of the visible church of Christ through the Berengarians and Albigenses to the Wickliffites and Hussites, and thence to the later reformers. Laud, on the contrary, traced it from the apostles through the church of Rome, and other churches of the South and East; nor would he admit that there could be any true church without bishops. These opinions, maintained in a sermon preached before the university of Oxford, had drawn upon him, twenty years before, a public censure, which Abbot, then vicechancellor, was believed to have prompted; and this had been the foundation of a lasting enmity between the two polemics. Nor in fact was the dispute a trifling one, or void of practical application: on the question of apostolical succession, almost the whole controversy between the presbyterian and prelatical, the Calvinistic and Arminian parties, might be made to hinge; and the different modes of deciding it manifestly led to directly opposite systems of ecclesiastical policy, both foreign and domestic. If the church of Rome were totally erroneous and antichristian, every approach towards it, all conformity or community with it, even in externals and things in their own nature indifferent, was to be regarded as odious and sinful; and it became a duty to bear an unceasing testimony against it; to wage with it a war of extermination. Thus the scruples of the puritans respecting ceremonies and vestments, the cross and the surplice, would become consistent and respectable, and even their intolerance might appear justified; and though the Anglican church should see fit as matter of expediency, to retain her own episcopacy, it would become her to stretch forth the right hand of fellowship to all the reformed churches without distinction, and to aid them by every possible exertion in making head against the common enemy,—the great popish confederacy of Europe. On the other hand, if the church of Rome, although erroneous and corrupt in cer-

tain points, were still to be regarded as a true and mother church, it would follow, that in all matters either indifferent or undetermined, her example was to be respectfully consulted, nor was even her authority to be without special cause rejected. The decisions of her canonists and the decrees of her councils must still be held in force ; even her traditions were entitled to regard ; and as the question was no longer between the kingdom of Christ and that of Antichrist, but between a venerable though erring parent, and a daughter still affectionate though no longer implicitly obedient, schemes of mutual conciliation might be innocently, nay, meritoriously attempted, and might even yet succeed in producing an entire reunion, and closing up for ever the long and lamented schism of the British isles.

It is not surprising that with so avowed a deference for the church of Rome, Laud should in those days have passed both with catholics and puritans for a concealed papist ; yet it is certain that he differed from this church in some points, both of doctrine and discipline, and the history of theological controversy has proved by numerous examples, that a narrow field of debate may be contested with full as much obstinacy as a wider one. On the other hand it may be observed, that the principle laid down by the illustrious Chillingworth, that "the scripture is the only rule whereby to judge of controversies," would equally have excluded Laud from the name of protestant ; since he strenuously asserted the power of judging in controversies of faith to reside in the church.

The principles of Laud and his Arminians were very far from being acceptable to the English people, and the close alliance formed between a church tending, as it was suspected, to popery, and a king tending, as it was more than suspected, to arbitrary power, cast upon both a double weight of odium. Respecting the fast-day above mentioned, the biographer of Williams, after remarking by the way that none was ever enjoined against the appearance of the Armada, adds, that the "main scope" of it was, "that great humiliation, with fasting and extraordinary prayer, should be joined together to avert the peril of a Spanish invasion ; therefore that we, on the defensive, should be ready, with our bodies and purses, to avert the fury of our enemies." "Though," he adds, "the land was admonished of this in a religious way, yet they condescended to part with money very hardly. They did only hear of an enemy, but they saw their coin collected from them. Say it was a wound to our great charter to call for contribu-

tion without a parliamentary way. . . . what we lost in the privilege of liberty it was presumed we got in safety. . . . But the most did want that charitable presumption, and paid the irregular levy with their hand and not with their heart.”*

Charles put in execution his meditated expulsion of the queen's French attendants in the summer of 1626. Her priests seemed to have filled the measure of their offences by the absurd and audacious act of causing the queen to walk to Tyburn to perform her devotions at the foot of the gallows on which father Garnet and other participators in the powder-plot had been executed as traitors, or, according to the phrase of the papists, had received the crown of martyrdom. A contemporary letter, from Mr. John Pory, supplies some curious particulars of this transaction.

“ On Monday last about noon, the king passing into the queen's side and finding some Frenchmen her servants unreverently dancing and curveting in her presence, took her by the hand and led her into his lodgings, locking the door after him, and shutting out all, save only the queen. Presently upon this my lord Conway called forth the French bishop and others of that clergy into St. James's Park, where he told them the king's pleasure was, all her majesty's servants of that nation, men and women, young and old, should depart the kingdom, together with the reasons that enforced his majesty so to do. The bishop stood much upon it, that being in the nature of an ambassador, he could not go unless the king his master should command him ; but he was told again, that the king his master had nothing to do here in England, and that if he were unwilling to go, England would find force enough to convey him hence. The bishop had as much reason to dance loth to depart as the king and all his well-affected subjects had to send him packing ; for he had as much power of conferring orders and dispensing sacraments, oaths, &c. as the pope could give, and so by consequence was a most dangerous instrument to work the pope's ends here. The king's message being thus delivered by my lord Conway, his lordship, accompanied with Mr. Treasurer and Mr. Comptroller, went into the queen's lodgings, and told all the French likewise that were there, that his majesty's pleasure was, they should all depart thence to Somerset House, and remain there till they know further his majesty's pleasure. The women howled and lamented as if they had

* *Life of Williams*, part il. p. 72.

been going to execution, but all in vain, for the yeomen of the guard, by that lord's appointment, thrust them and all their countryfolks out of the queen's lodgings and locked the doors upon them. It is said also that the queen, when she understood the design, grew very impatient, and brake the glass windows with her fist; but since, I hear, her rage is appeased, and the king and she, since they went together to Nonsuch, have been very jocund together. The same day, the French being all at Somerset House, the king, as I have heard some to affirm, went thither, and made a speech to them to this purpose: That he hoped the king his good brother of France would not take amiss what he had done. For the French, he said, particular persons he would not tax, had occasioned many jars and discontents between the queen and him; such indeed as longer were insufferable. He prayed them therefore to pardon him if he sought his own ease and safety, and said moreover that he had given orders to his treasurer to reward every one of them for their year's service. So the next morning there was distributed among them eleven thousand pounds in money, and about twenty thousand pounds worth of jewels." The writer goes on to state as the "satisfactory reasons" of this somewhat peremptory proceeding, "the extravagant power of this French bishop," the superstitious and turbulent spirit of these "jesuited priests," and their intolerable insolencies towards the queen. After mentioning the procession to Tyburn, he adds; "Had they not also made her dabble in the dirt in a foul morning from Somerset House to St. James', her Luciferian confessor riding along by her in his coach? Yea, they have made her to go barefoot, to spin, to eat her meat out of treen dishes, to wait at the table and serve her own servants, with many other ridiculous and absurd penances. . . . Besides all this, letters from some of these French about her majesty are said to have been intercepted, by which it hath appeared that they have not only practiced with the pope on one side and the English catholics on the other side, but have had intelligence also with the Spaniard. It was intended they should presently have departed, but they are not yet gone. . . . Meanwhile they took possession of all the queen's apparel and linen which they found at Somerset House, as being their vales. . . . but the queen having left her but one gown and two smocks to her back, these French freebooters were intreated by some of the lords of the council to send her

majesty some apparel, and so they sent her only one old satin gown, keeping all the residue to themselves.”*

Shortly after the removal of the French from Whitehall to Somerset House, the king addressed to Buckingham the following characteristic order respecting them.

“Steenie,

“I have received your letter by Dick Graham, this is my answer. I command you to send all the French away to-morrow out of the town. If you can, by fair means, (but stick not long in disputing,) otherwise force them away like so many wild beasts until ye have shipped them, and so the devil go with them. Let me hear no answer but the performance of my command. So I rest, your faithful, constant, loving friend,

“CHARLES R.”

“Oaking the 7th of August 1626.”

When, in consequence of this order, the royal officers attended upon the French with coaches and carts, they still contumaciously refused to depart until they should receive orders from their own king, and “above all the bishop stood upon his punctilios.” Word being brought to the king of this conduct, he dispatched to London “the captain of the guard attended with a competent number of his yeomen, as likewise with heralds, messengers and trumpeters, first to proclaim his majesty’s pleasure at Somerset house gate; which, if it were not speedily obeyed, the yeomen of the guard were to put it in execution, by turning all the French out of Somerset house head and shoulders, and shutting the gate after them. Which news as soon as the French heard, their courage came down, and they yielded to be gone the next tide.”†

We may judge how many projects and intrigues were broken by these prompt measures of the king, from the excessive indignation manifested by the French court. Carlton, now a peer, who had been dispatched to announce and justify to Louis and the queen-mother the expulsion from Whitehall, was ill-received; Walter Montague, sent soon after to congratulate Monsieur and Madame on their marriage, being additionally unwelcome as an instrument through whom the duke of Buckingham was believed to carry on his correspondence with the French queen, was ordered to make the best of his way back; and marshal de Bassompierre was then commissioned to come and demand satisfaction of king

* Ellis’s *Letters*, vol. iii. p. 238.

† Ibid. p. 244.

Charles for his various infractions of the marriage-treaty. This ambassador was met by the master of the ceremonies at Gravesend, and by the earl of Dorset with the king's barge near Greenwich; but Charles, who had been with difficulty prevailed upon to show him these customary attentions, absolutely refused to lodge or defray him.

Bassompierre himself has fortunately left us a copious narrative of his transactions in England, whence we derive some particulars strongly illustrative of the character of Charles, the influence of the duke, and the spirit of the French or catholic party.* Besides the expulsion of the servants, the ambassador was instructed to urge the following grounds of complaint. That a church had not been built for the queen at St. James's; and that, notwithstanding the secret article by which the king had promised that his Roman catholic subjects should not be molested either in person or property for their religion, or constrained to take any oath contrary to it, "the most severe laws against catholics, established during the most violent persecutions and since in a manner abolished, were renewed." These further grievances were added: That within a few days four protestant ladies of the bedchamber had been placed about the queen; namely the duchess of Buckingham, the marchioness of Hamilton, and the countesses of Denbigh and Carlisle; also, that the lands set out for the queen's demesne were not of the stipulated value; that the patents for them "had not been registered in parliament," and that the queen had not been permitted to gratify English catholics by herself appointing "the officers of her demesne." The king of France openly imputed these violations of faith to the duke of Buckingham, who had filled all the vacant offices in the queen's household with his own relations and friends, and he had the confidence to add; that even should the French servants have offended, it would have been decent and friendly in his brother of England to have informed him of it, and have left to him the punishment of his own subjects; but that, "thank God, he cannot find that they have been wanting in the least to the fidelity and devotedness which he had a right to expect of them."

The queen-mother sent at the same time the sieur de la Barre to her daughter, to enjoin her to keep up her spirit, to show openly the utmost eagerness to have the French back again, and covertly to evince her attachment to her friends in

* See Bassompierre's "*Mémoires*" and his "*Ambassades*" *passim*.

England, and her indignation against those who had disserved her. He was also charged to encourage her sole remaining Frenchwoman in her fidelity, and to tell the queen that she must abstain from confession in case no priest were left excepting two, mentioned by name, whom the French court distrusted. By command of the queen-mother, Bassompierre had likewise brought with him father Sancy, a priest so obnoxious, for some unknown reason, to Charles, that the ambassador, immediately on his landing, was required to send him back again; he refused, on which account his audience was for some time delayed,—talked in a high and insolent tone of the privileges of ambassadors, so recently violated in his own court by the dismissal of Montague,—and finally, gained the point by his pertinacity. When a first audience was to be granted him, the king stipulated, that as it was to be public, and in the queen's presence, there should be no mention of business, because he feared that she would burst into tears and make a scene, and that he might then be provoked to some unseemly violence of speech. Henrietta was freely permitted to see the ambassador in private, and he testifies that she was extremely well treated, that her court was very brilliant, and that she would have nothing to complain of if she had only her priests again, and a few French people for her consolation. "She is," says he, "the best and prettiest princess in the world, and one who, contrary to my expectation, has no will of her own, referring herself on all points to that of the king her brother and the queen her mother. She told me, that knowing me for their good and faithful servant, and sent by them, she should approve all I did, and would only act by my advice."

Buckingham made great professions of his desire to reconcile matters, notwithstanding the hatred borne him by the queen, the resentment manifested by the French court, and a sharp letter written him by the queen-mother. Bassompierre put no faith at first in his fair promises, because, as he says, he had entire power over the mind of the king, and yet he had neither prevented the expulsion of the French, nor procured their restoration. In the progress of the treaty however, he became convinced of the sincerity of the duke, to whom he persuaded the queen to reconcile herself, and he then anticipated no difficulties but from "the obstinate and perverse temper of the king himself."

About a fortnight after his arrival, he was admitted to a private audience which lasted nearly two hours, and

was far from amicable. After hearing all the complaints and remonstrances of the ambassador, the king remarked, that he wondered he had not completed his errand by declaring war. Bassompierre replied, that he was not a herald to declare war, but a marshal of France to carry it on when it should be his master's pleasure ; but at present he wished to treat with his majesty as a brother. If that were the case, Charles rejoined, he ought to leave him in peace and freedom in his own house, where neither he nor any other had a right to interfere : that the religion of the queen was secured ; he should take no means, direct or indirect, to make her change it ; and for the rest, he would not have his wife look to any one but himself for protection. That he had been compelled to send away her French attendants for their ill behaviour, and the intrigues and monopolies which they carried on in his kingdom. That they diverted from him the affection of his queen, whom they constantly surrounded, preventing her from paying any attention to the English, discouraging her from learning the language, and causing her not to behave to him as she ought ; of which he had already sent repeated information to her brother and her mother. That now, since their departure, the queen his wife lived better with him, and he hoped that in future she would give him all manner of satisfaction ; he was resolved not to subject himself again to the evils from which he had escaped, and the king his good brother ought not to urge him to it. He had given the queen a train suited to her rank, and would treat her as a queen, but he would have her behave herself to him as she ought, and show him the respect and obedience of a wife. With regard to the treatment of the catholics, he said, that the proceedings of the French servants had caused their present evils, and overcome his previous wish and intention of leaving them at peace ; which it was however his intention to do in future, as far as he could without prejudice to his own affairs and those of the state.

It can scarcely be denied, that in all this matter Charles had substantially reason and justice on his side, although his manner might be somewhat more harsh, his expressions less conciliating, than the circumstances required ; yet Bassompierre wrote home, that he was sorry his instructions did not warrant him to quit England immediately on receiving so peremptory an answer. The council, to which the king referred him, remained laudably firm to the maxim of granting nothing to the catholics through the mediation of the king of

France ; but held out promises of more indulgence towards them provided the queen would ask it of the king ; they also thought fit to intimate, that she would obtain most of her wishes by employing the duke, and seeking favors from the king's goodness alone. Two of the French demands, that the queen should have a bishop in her service, and that some of her priests should be regulars, were strenuously resisted by the English council ; at length it was settled, by way of compromise, that her priests should all be seculars excepting her confessor and his companion, who had not been expelled, and who were fathers of the Oratory, and that her bishop should confine his functions to the queen's household, and not confer orders, or perform other episcopal acts in England. The earl of Carlisle whom Bassompierre represents as a great puritan and very subtle in his religion, long contested these points, and also demanded that the king should have the choice of the priests, in order that he might select those of the Gallican rather than of the Ultramontane school ; but the ambassador was warm on the last article, and carried it. He yielded the appointment of a French master of the horse, because the queen was content to retain Henry Percy in this post, he being brother to lady Carlisle " who governed the queen very much." The number of French servants and officers receiving salaries was one hundred and six, but of followers and hangers-on of one kind or other there were nearly twice as many more, so that the whole number expelled was little short of three hundred. The king adhered inflexibly to his resolution of not suffering a single individual of these to return ; excepting Chartier the physician ; but he consented that forty-six persons, male and female, should be sent over in their stead ; and with this concession the French court consented to be appeased.

These matters being arranged, and some remaining disputes concerning mutual captures of ships being referred to the ambassador in ordinary, Bassompierre took his leave ; and he was already at Dover, waiting for a fair wind, when Buckingham sent to entreat him to return in order to confer with him at Canterbury. In this meeting, the duke mentioned certain detentions of English ships in the French ports, and represented the affair as of so much consequence that on this sole account, as he said, he had accepted the appointment of ambassador extraordinary to France, and would return with Bassompierre. The marshal frankly replied, that he could not approve his projects, and that it would not be agreeable to his king ; and he spent the evening in persuading him to give

up, or at least postpone, his journey. Buckingham at length agreed to defer his departure till the ambassador could write to his court : he wrote, and received in answer positive orders from his master to impede the duke's design even, if necessary, by plainly informing him that after what had passed, he could not go without the French king's permission ; but, if possible, to put him off civilly, as a minister favourable to France and to catholics, and totally opposed to the puritans. Bassompierre accordingly wrote a polite letter requesting him to defer his mission till all disputes should be concluded, and offering to procure the immediate release of the English ships if Buckingham, on his part, would interpose for the liberation of some French ones. It was almost immediately upon this check to the favorite that Charles declared war against France. In the royal manifesto published on this occasion, there was actually mentioned among the causes of war, Louis's employment of the English ships lent to him, against the Hugonots of La Rochelle ; an act to which it is in proof that both Buckingham and his master were consenting, and even instrumental. But it was thought expedient to make this oblation to the protestant *prejudices* of the English people ; and the French sovereign, apparently respecting the mysteries of king-craft even in an enemy, was content to excuse himself on this head by the " necessity of his affairs."

The following trait is given by Bassompierre of what he justly calls " the boldness, or rather impudence," of Buckingham. At his first private interview with Charles, who, as he says, put himself in a great passion, and to whom he replied with spirit ; at the moment when both parties were most heated, the duke ran up and threw himself between them, crying out, " I am come to keep the peace between you two !" On this strange interruption, the ambassador took off his hat, to intimate that he regarded the audience as at an end. He was witness to several quarrels between the king and the queen, in which he thought her so much in the wrong, that on one occasion he threatened her that he would return without concluding the business, and inform her brother and mother that the fault was hers.

On Lord-mayor's day, the queen, after viewing the water-procession from Somerset-house, took Bassompierre in the coach with her into Cheapside, to see the ceremony, which, he says, is the greatest which takes place at the reception of any officer in the world. Afterwards he went to walk in Moorfields, then newly planted and laid out, and a fashion-

able place of resort even for the nobility. Himself the mirror of magnificence at home, the admiration which he expresses of the *splendor and gaiety of the English court* is a testimony of great weight. He mentions several exceedingly handsome entertainments given to himself by different persons of rank, but one at which he was present, given by Buckingham to the king and queen at York House, was, he confesses, the most magnificent banquet he ever saw in his life. The table at which he supped with the king and queen, waited upon by the duke himself and the earls of Holland and Carlisle, "was served by a complete *ballet* at every course," with music and changes of scenery, and various representations. After supper they were led into another apartment, where there was a splendid mask in which the duke danced; afterwards there were country-dances, till four in the morning, then a collation. The king and queen slept in the house, and the next day the queen had music, and the king ordered a ball and a play, after which they returned to Whitehall. Charles sent the ambassador at his departure a rich present of diamonds, for his anger had now cooled, and he probably regarded Bassompierre, and with reason, as the most sound and moderate of all Henrietta's French counselors.

The prospect of a new war, added to the reverses sustained in Germany, occasioned fresh demands upon the treasury, and there was now no mercy for those who offered any resistance to the new measures. A general loan having been agreed upon in the council instead of the *benevolence*, which had proved unproductive, the most odious means were adopted for enforcing compliance. Soldiers were billeted on private persons by way of punishment for their refractoriness, and the commissioners for the levy of the imposition received the following among other instructions: That they should treat apart with those who were to lend, and not in the presence of others,—that if any should refuse to lend, or make delays or excuses, they should examine them *on oath* whether they had been "dealt withal" to refuse, by whom, and what speeches had been used tending to such purpose? They were also to charge such persons in his majesty's name not to disclose what their answer had been; "That they endeavor to discover whether any, publicly or underhand, be workers or persuaders of others to dissent from this course, or hinder the good disposition of others; and that as much as they may, they hinder all dis-

course about it ; and certify to the 'privy council in writing the names, qualities, and dwelling-places of such refractory persons with all speed, and especially if they shall discover any combination or confederacy against these proceedings." Thus was a political Inquisition, with all its detestable apparatus of secret examinations, arbitrary oaths, and private accusations, suddenly established throughout the kingdom ! But there were many minds in which the character of these proceedings excited anger or contempt rather than terror. Numerous knights and gentlemen in various parts of the country, of whom Mr. Hampden was one, refused to lend their money, and were in consequence committed to close custody, often in the common gaols, and sometimes in distant counties ; sir Peter Hayman, on the same account, was sent on an errand to the Palatinate, and persons of inferior rank were pressed for foreign service either in the army or navy. Sir John Eliot, from the Gatehouse prison, addressed to Charles a well-drawn petition setting forth the statutes by which it was declared unlawful for the king to impose taxes by his own authority, and criminal in the subject to pay them, and pleading conscience for his refusal ; but without avail.

Sir Thomas Wentworth, having been, after a feigned reconciliation, deprived by Buckingham in the most public and offensive manner of the office of *custos rotulorum* for Yorkshire, finding his humblest submissions, tendered through his friend sir Richard Weston, ineffectual to procure his restoration, conceived that an imposing show of patriotic opposition would now best serve the interests of his ambition ; and having peremptorily refused his contribution, he assumed the attitude of a man prepared to stand all consequences. Being summoned before the privy council, he there justified his conduct, and was in consequence, in May 1627, committed to the Marshalsea, where he remained six weeks, after which he was banished to Dartford in Kent, and ordered to confine himself within that town and a space of two miles round it ; under which restraint he continued till the ensuing Christmas. On the first rumor of his collision with the court, several of his friends, by whom his designs and plan of action seem to have been but imperfectly understood, began eagerly to ply him with their prudential counsels ; and the court intelligence on which they grounded the opinions expressed in their letters will often be found curious and interesting. Lord Clifford, his brother-in-law, writes thus on April 30th, 1627 :—

“ This night your friends have thought fit to give you this

speedy advertisement that the stream runs daily stronger and stronger against the refusers, and this day the gentlemen of Lincoln-shire are all committed to the prisons here in London, and those which have remained so long imprisoned are to be sent to private houses severally, into several shires, most remote from their own country, without so much as liberty to go to church. And every man here that loves you, wish you may not run so great a hazard both of your life and fortune. The letters I hear are gone to the commissioners to receive your answer, and therefore we that wish you would give, do wish you would do it readily and freely at their motion. But if you cannot be persuaded thereunto, then, for my part, I would have you desire the commissioners to give you leave to give your answer here in person before the lords, engaging your word unto them to come up presently; which we would have you do with all speed. My dear brother, how perplexed I am about this particular, these ragged lines can partly witness. Accept them, I pray you, as the present of a faithful and affectionate heart, which affects nothing more than your safety and happiness: For which that you may provide in time, I have expressly sent this bearer by post.”*

Lord Haughton, also a brother-in-law, writes to him as follows on May 19, 1627.

“ It was supposed this humour of committing had been spent, till your antagonist did revive it; who, I hear, brags he hath you in a toil or dilemma; if you refuse you shall run the fortune of the other delinquents, if you come in at the last hour into the vineyard, he hopes it will lessen you in the country. Sir Harbottle Grimstone of Essex was laid up last week; his neighbors of Chelmsford, the six poor tradesmen, stand out stiffly, notwithstanding the many threats and promises made them; which made one say, that honor, that did use to reside in the head, was now, like the gout, got into the foot. Some of the judges stagger, and incline to pressing them, but Hyde, the late chief justice, will rather quit his minivers than subscribe to it.

“ The duke’s going so often adjourned, makes men suspect he will not stir at all: And I heard from a good hand he moved the king to that purpose, who would not consent unto it, saying his honor was engaged, the eyes of the

* *Strafford Letters*, i. 36.

kingdom were upon him ; whereupon his grace grew melancholy.

“Middlesex hath now his *quietus est* ; the other day kissed the king’s hand, and was used so graciously that the treasurer is afraid of himself. Not one of the refractory lords is come in, though generally said Northumberland had yielded, but nothing so. The lords are ill troubled with the Irish, who being commanded to defray 5000 foot and 500 horse, through the whole country have generally refused, and the sheriffs also to serve any writs upon the refusers : This paper will tell you of a toleration intended and rejected there.”*

Lord Clifford in a subsequent letter earnestly exhorting Wentworth to compliance, has the following strong expressions : “ My dear brother, I cannot hope to see you receive the least favor that the great ones can abridge you of, if you still refuse ; neither dare any move the king in the behalf of any gentleman refuser ; for his heart is so inflamed in this business, as he vows a perpetual remembrance as well as a present punishment. And though the duke will be gone shortly, yet no man can expect to receive any ease by his absence, since the king takes the punishment into his own direction.”†

It is worthy of remark that chief justice sir Randal Crew had already been dismissed from his office as not sufficiently favorable to the loan ; and that sir Nicholas Hyde who had succeeded him is mentioned by his own nephew lord Clarendon as one who having been promoted “ from a private practitioner of the law to the supreme judicatory in it, by the power and recommendation of the great favorite, of whose private counsel he had been,—was exposed to much envy and some prejudice ;”‡ and yet, it seems, even his instrumentality was not without difficulty obtained ; so thoroughly illegal were these proceedings.

The benchers of Lincoln’s inn received, to their honor, a letter of reproof from the council, for “ neglecting to advance the service in their society,” and to return the names of the refractory. The church might also boast of one confessor in the cause of the constitution, and he of no less eminence than Abbot archbishop of Canterbury. Laud had now fully succeeded in communicating to the all-powerful favorite his own animosity against this zealous and popular prelate,

* *Strafford Letters*, i. 37.

† *Life of Edward earl of Clarendon*, p. 3.

‡ *Ibid.* i. 38.

and the opportunity to ruin or disgrace him, which had long been sought, offered itself on the following occasion. One Sibthorp, an obscure but aspiring clergyman, had ingratiated himself with the ruling party by an assize-sermon preached at Northampton, in which he had maintained the unlimited nature of regal power, and asserted the right of the sovereign both to make laws and levy contributions by his own authority; the subject being bound, under pain of everlasting perdition, to afford an active obedience in all things not contrary to the laws of God and nature; a passive obedience in all cases. This sermon was sent to the archbishop by a gentleman of the bedchamber with a message from the king himself that it was his pleasure it should be licensed to the press. The primate pleaded that it was the business of his chaplains; but being informed that it was required of him to give this piece his own attention, he took it to read, and then returned a conscientious refusal to give it his sanction. To repeated and urgent requisitions to the same effect he remained inflexible; till at length Charles was provoked to command him to banish himself to one of his seats in Kent, and to issue a commission to four bishops, Laud being one, for the exercise of archiepiscopal jurisdiction in his stead*; and all this without law, without form of process, without even an accusation brought against him!

Sibthorp's sermon was next carried to Worral, one of the chaplains of Laud, now become bishop of London, who hastily signed the *imprimatur*, but, alarmed at what he had done, ran immediately to beg the advice of Selden. Having read the piece, this eminent lawyer and patriot, prudently avoiding to commit his opinion to paper, sent for Worral and addressed him to this effect. "What have you done? You have allowed a strange book; which, if it be true, there is no *meum* or *tuum*, no man in England hath any thing of his own. If ever the tide turn and matters be called to a reckoning, you will be hanged for such a book. You must scrape out your name, and not suffer so much as the sign of any letter to remain." The chaplain took the sound advice, but his less wary diocesan signed the *imprimatur* without hesitation;—on points like these, Laud was visited with neither fears nor scruples.†

The English catholics at this time excited peculiar jealousy in the popular party by their cheerful and liberal contributions

* *Abbot's Narrative* in Rushworth, i. 440.

† Rushworth, i. 448.

to the loan, suspected to be the fruit of a secret understanding, that the king, by his own authority and in contravention of his repeated promises to parliament, would suspend the operation of the penal laws. In Ireland, where a great majority of the inhabitants still adhered to the old religion, they judged themselves strong enough openly to demand a redress of their most pressing grievances, civil and religious, as the price of those supplies which they knew to be indispensable to their sovereign. The maintenance of a body of troops by the country had there been firmly resisted, as we have seen, until the king had sanctioned by his own assent and promised to assemble a parliament in Ireland for the purpose of ratifying, certain *graces*, as they were called, which might be regarded as a charter of emancipation to that unhappy people. By some of these the country was to be relieved from various oppressions in civil, judicial and commercial matters; by another, all inquiries into defective titles to lands on the part of the crown, which had hitherto been carried on without regard to any length of prescription, were to be restricted to a retrospection of sixty years; by another, catholic land-owners were to be admitted to sue out their liveries without taking the oath of abjuration,—and by another of still greater importance, the rites of the Roman catholic worship were to be admitted to a free toleration. The last article instantly roused the fears and the zeal of the protestant hierarchy, and twelve Irish bishops, with their learned primate Usher at their head, met and signed a protestation, that the religion of the papists being “superstitious and idolatrous, their faith and doctrine erroneous and heretical, their church in respect of both apostatical,” to grant them a toleration was “a grievous sin,” and to do so for money, was “to set religion to sale.”

This opposition, in which the protestant laity appear to have had concurred, had other motives besides those suggested by religious bigotry, which it was judged politic to make the ostensible ones. The voluntary contribution which was to purchase the *graces*, and to which protestants were to be equally assessed with catholics, was no less offensive to the patriots of Ireland than the loan to those of England; being equally a mode of enabling the king to raise money without the assistance of a parliament, which it was clearly perceived that nothing but pecuniary distress would ever induce him to convoke. The conduct of Charles on the occasion was highly characteristic. He violated his word to the catholics by sub-

stituting a bare connivance, which left them still at his mercy, for the stipulated toleration; and being inwardly resolved neither to set limits to the searches into defective titles regarded by himself and his courtiers as a mine of unexhausted treasure, not to permit the assembling of an Irish house of commons, he availed himself of a perhaps not undesigned irregularity in the writ of summons issued by lord-deputy Falkland, which might have been speedily and easily remedied, to defer indefinitely the meeting of parliament solemnly promised to the Irish nation, and expected both by catholics and protestants with extreme anxiety. Meantime the contribution for the maintenance of the army continued to be levied.

In November 1627 five of the knights who had been imprisoned for refusing the loan, all persons of fortune and distinction, resolved to bring their cause to an issue by suing out a writ of *habeas corpus* in the king's bench. Stripped of technical forms, the question to be decided on this occasion was no other than the following. Whether English judges would interpose, according to the law and their duty, to liberate persons detained, without any specific charge, "by the king's special command;" or whether, through their iniquitous and base subserviency, the ancient charters of the land were to be virtually abolished, and the personal liberty of every subject was henceforth to lie at the mercy of an arbitrary prince. The cause of the prisoners, or rather of the English people, was pleaded by lawyers of great eminence, for Noy and Selden were of the number. Selden laid it down, "that by the constant and settled laws of this kingdom, without which ~~we~~ have nothing, no man can be justly imprisoned, either by the king or council, without a cause of the commitment, and that ought to be expressed in the return." "This right," said serjeant Branstons, "is the only means that a subject hath whereby to obtain his liberty; and the end of it is to return the cause of the imprisonment, that it may be examined in the court whether the parties ought to be discharged or not: Which cannot be done upon this return; for the cause of the imprisonment is so far from appearing particularly by it, that there is no cause at all expressed the cause ought to be expressed so far that it ought to be none of those causes for which, by the laws of the kingdom, the subject ought *not* to be imprisoned. For observe but the consequence: If those gentlemen who are committed without any cause shown, should not be bailed but remanded, the subjects of the king-

dom may be restrained of their liberty for ever, and by law there can be no remedy." "If upon a *habeas corpus* a cause of commitment be signified, then," said Mr. Noy, "the cause is to be tried before your lordships; but if no cause be shown, the court must do that which standeth with law and justice, and that is to deliver the party."

Notwithstanding these and other arguments of irrefragable cogency, chief-justice Hyde, now victor over all his scruples, dared to pronounce, for himself and his brother judges, Dodderidge, Jones and Whitelock, a judgment which, by denying either liberation or bail to the prisoners, closed all the doors of justice against them, and held out to them as their sole hope of deliverance from perpetual incarceration, the mercy of the tyrannical prince whom their just resistance had offended.

Having thus, as they fondly hoped, crushed all opposition at home by the strong arm of power, Charles and his minister prepared to exhibit their talents in the conduct of a war with France. The prince of Soubize, a hugonot leader of the house of Rohan, was received with high favor at the English court, and through his influence it was hoped that the people of La Rochelle, forgetful of recent injuries, might be brought to cooperate with a powerful armament prepared for a descent on the French coast. Buckingham, who had arrogated to himself the chief command by land as well as sea, being in both services equally and totally ignorant and inexperienced, urged on the preparations with characteristic impetuosity; and a considerable fleet being assembled, with a body of 7000 men on board, he embarked at Portsmouth in July 1627, and appeared before La Rochelle. The inhabitants however were neither prepared nor inclined to admit him, and finding himself disappointed in this quarter, he landed on the Isle of Rhé, where there was no force capable of withstanding him. From a want of skill or promptitude, he allowed the governor to provision a fort which held out against him till the month of November, though he had at first written to assure the king that he should be master of it in a week. A large French force then advancing to relieve it, Buckingham, after several pernicious fluctuations of purpose, commenced a retreat, which was conducted with such precipitation and want of judgment, on broken ground, over a narrow causey, and amid salt pans and marshes, that the loss of a battle could scarcely have been more fatal. "The retreat," says Clarendon emphatically, "had been a rout without an enemy, and the

French had their revenge by the disorder and confusion of the English themselves ; in which great numbers, both of noble and ignoble, were crowded to death, or drowned without the help of an enemy : and as some thousands of the common men were wanting, so few of those principal officers who attained to a name in war, and by whose courage and experience any war was to be conducted, could be found."

A general consternation over the whole kingdom was the result of this disaster ; mutinies broke out in the fleet and army on pretext of want of pay, " but in truth, out of detestation of the service and the authority of the duke." The counties refused to suffer the troops to be billeted upon them. The illegal practice of pressing recruits for the army found opposition in many places. " This produced a resort to martial law, by which many were executed ; which raised an asperity in the minds of more than the common people."*

The military character of the nation was low at this period, and several of the creatures of Buckingham, more conversant in courts than camps, incurred severe reproach : " For here in England," says a memorialist, " the earl of Holland trifled away the time in which he should have brought new supplies of men, victuals and shipping unto the duke, and was found in harbour at Portsmouth, when he should have been found a month before in the bay at Rochelle ; and here his brother Mountjoy, afterward earl of Newport, and the lord Conway, then sir Edward, who with the horse were to make the retreat, to say no more, fell under great suspicion."† Concerning the degree of personal courage exhibited by the duke in this unhappy expedition, we have contradictory reports which it is not worth while to balance ; his general conduct was commended by no one excepting his infatuated master, and the instruments whose express charge it was to keep up his gross delusion.

The letters written by Charles to Buckingham during his absence, taken without reference to the merits of him to whom they were addressed, deserve a place among the most pleasing records of royal friendship. In perusing them we are irresistibly impressed with the unhappiness of princes who, precluded by their station almost from the possibility of forming just estimates of men and things, can scarcely give way to the best and sweetest affections of the human heart

* *Hist. of Rebellion*, book i.

† *Warwick's Memoirs*, p. 27.

without peril to themselves and mischief to their people. The following are a few of the most remarkable passages.

"I [write] rather to assure you that upon all occasions I am glad to remember you, and that no distance of place, nor length of time can make me slacken, much less diminish, my love to you, than that I have any business to advertise you of. I know too that this is nothing, it being nothing but what you know already ; yet imagining that we, like usurers, love sometimes to look upon our riches, I think it is not unacceptable to you to bid you look of that that I esteem to be to the greatest riches, and now hardest to be found, true friendship ; there being no style justlier to be given to any man than that to me of being, your faithful" &c.

"It rejoices me not a little to hear [Dalbier] being a stranger and a soldier, give so just a description of your disposition, which I know to be true ; that making me believe the rest he says concerning your proficiency in the trade you have now so happily begun, which though I never doubted, yet I am glad to see that truth forces all men to approve my judgment of you. . . . Only I must chide you if it be true that I hear, that you hazard yourself too boldly. This I must command you to mind and take care of ; there being more inconvenience in it than I almost dare write, or fit for you to hear ; but it is enough that you are willed to preserve yourself for his sake that is, and ever shall be, your loving" &c.

The king gave his personal attention to the care of sending Holland with supplies and reinforcements to the army, and he often apologizes for tardiness in this affair as proceeding from the embarrassments of the times, and by no means from any slackness in himself,—and perhaps the earl of Holland's conduct might claim the benefit of the same excuse. "Be not disheartened with our by-past slowness ; for, by the grace of God, it is all past. This I say, not that I fear thy constant, stout heart can slack in an honest cause, but that some rascal may cast doubts in the army as if I neglected you ; which I imagine is likely enough to fall out, since some villains here stick not to divulge it. And it is possible that those who were the cause of your consultation of leaving the siege and coming home (for the resisting of which I give thee a thousand thanks) may mutter such things. Now I pray God but to prosper me as I shall stick to thee on all occasions, and in this action as I shall show myself your loving" &c.

The Danish ambassadors had endeavoured to mediate a peace between France and England, and had desired that powers to treat should be sent to the duke, which Charles says he would not grant, but adds, "Now, honest rascal, though I refused, being demanded, to send thee powers to treat, yet thou, knowing my well-grounded confidence of thee, mayest easily judge the warrant-dormaht power thou hast in this, as in any thing else where confidence may be placed on any man : but for fear thy modesty in this particular might hinder thee to remember thy power of trust, which I have given thee, I thought not amiss to write as I have written."

On receiving an intimation to prepare his mind for the probable abandonment of the enterprise, we find it the king's first care to console and encourage the unsuccessful general : "This is therefore to give you power, in case ye should imagine that ye have not enough already, to put in execution any of those designs ye mentioned to Jack Epslie, or any other that ye shall like of. So that I freely leave it to your will whether after your landing in England ye will set forth again to some design, before you come hither ; or else that ye will first come to ask my advice before ye undertake a new work ; assuring you that with whatsoever success ye shall come to me, ye shall be ever welcome ; one of my greatest griefs being that I have not been with you in this time of suffering, for I know we would have much eased each other's griefs. . . . To conclude, you cannot come so soon as ye are welcome ; and unfeignedly, in my mind, ye have gained as much reputation, with wise and honest men, in this action, as if ye had performed all your desires. I have no more to say at this time, but conjure thee, for my sake, to have a care of thy health. Even after the calamitous retreat, the blinded king sends Endymion Porter to Portsmouth, "to assure you our misfortune has been not to send you supplies in time, that all honest men cannot but judge that you have done past expectation, and if a man may say it, beyond possibility."

One or two passages show the indiscreet and excessive openness with which he imparted to Buckingham the state of his conjugal feelings. "I cannot omit to tell you that my wife and I were never better together ; she upon this action of yours showing herself so loving to me, by her discretion upon all occasions, that it makes us all wonder, and esteem her." And again, after the return of the duke to England : "I have sent you here inclosed a letter to my wife, in answer to

one that Lodowic brought me, which was only a dry ceremonious compliment, and answered accordingly ; by which I see that my last denial is not digested yet ; which you would do well to find out of yourself, (without taking notice of any knowledge from me,) to set her in tune against my returning to London ; for if I shall find her reserved, froward, or not kind at my return, we shall not agree ; which I am sure cannot fall out between you and your loving"* &c.

Steadfastness in his attachments, or, as it might perhaps be called, persistence in his own judgment of characters, was in fact one of the qualities on which Charles prided himself the most ; and as his haughty temper and despotic principles led him to regard his ministers in the light of personal attendants, household counsellors and assistants, and by no means as responsible servants of the people, he was ever prone to pledge himself to their protection in all, and against all. Thus Laud has recorded in his diary, that having been alarmed at the report of a murmur, that in consequence of the failure at the Isle of Rhé a parliament must be called, in which some must be sacrificed, and himself as likely as any, he repeated it to the king, whose answer was ; " Let me desire you not to trouble yourself with any reports till you see me forsake my other friends."

The necessity of his affairs, however, compelled him to assemble a council, in which sir Robert Cotton, being expressly called upon for his sentiments, gave an opinion in favor of calling a parliament, backed by arguments so cogent, drawn from the ill state of almost every department of administration, that the measure was adopted, and writs issued for its meeting on March 17th, 1628. Meantime it was judged expedient to mollify the spirits of the people by liberating Digges and Eliot, and also the knights, gentlemen, and London citizens, to the number of seventy-eight, who were under confinement or restraint for resisting the loan ; a large proportion of the chief of whom, as confessors in the cause of the constitution, were immediately elected to seats in the house of commons. Archbishop Abbot, bishop Williams, and the earl of Bristol also received their writs of summons, and the honor of these counsels was studiously ascribed to the duke of Buckingham. But Charles, equally unfitted by temper and by system for pursuing the policy of a constitutional ruler, could not refrain from blending with these conciliatory measures, others of a diamet-

* *Miscel. State Papers*, ii. 14. et seq.

rically opposite character. A commission was issued to several privy counsellors and others to consider of modes of raising money "wherein form and circumstance must be dispensed with, rather than the substance be lost;" and the projects of a general excise, and of ship-money, had, in consequence, been debated in the council, though the execution was for the present suspended. What was still more alarming, not only the troops returned from foreign service were still kept on foot and quartered in private houses, evidently for the purpose of quelling the spirit of the people, but secret orders, accompanied by the sum of 30,000*l.*, had been transmitted by the king to sir William Balfour and colonel Dalbier in the Low Countries, for the levy of 1000 German horse and the purchase of above 10,000 stand of arms, to be immediately transported to England; transactions which could not be kept so secret as not speedily to become the subjects of parliamentary animadversion.

CHAPTER VI.

1628.

Parliament opened.—Haughty speech of the king.—Grievances opened by Seymour, Philips and others.—Vain efforts of secretary Cook to carry the king's measures.—Petition of right put in preparation.—Judges called in question for denial of habeas corpus.—Petition against recusants assented to.—Supplies deferred, grievances proceeded with.—Offensive interposition of Buckingham.—Conference between the two houses on liberty of persons.—Billeting of soldiers and martial law debated.—Attempts of the king to baffle the petition of right.—Amendment of the peers rejected.—The bill passes both houses.—Complaint of the commons against Manwaring.—King's evasive answer to the petition of right.—Remarks.—Indignation of the commons.—Dissolution threatened.—Pathetic scene in the house of commons.—King passes the bill.—Commons vote the subsidies.—Complaints against Buckingham.—Dr. Lamb beaten to death.—Remonstrance prepared by the commons.—Parliament prorogued in anger.

PARLIAMENT was opened on March 17th by the king in person, with a speech in which menace and the expression of offended pride were still unhappily predominant over the tone of conciliation which experience as well as reason might by this time have taught him to employ. "These times," said the monarch, "are for action, wherefore, for example's sake, I mean not to spend much time in words; expecting that your, as I hope, good resolutions, will be speedy, not spending time unnecessarily, or that I may better say, dangerously . . . I think there is none here but knows, that common danger is the cause of this parliament, and that supply is at this time the chief end of it. . . . I therefore, judging a parliament to be the ancient, speediest, and best way, in this time of common danger, to give such supply as to secure ourselves, and to save our friends from imminent ruin, have called you together. Every man must now do according to his conscience: Wherefore if you, as God forbid, should not do your duties in contributing what the state at this time needs, I must, in discharge

of my conscience, use those other means which God hath put into my hands, to save that which the follies of particular men may otherwise hazard to lose. Take not this as a threatening, for I scorn to threaten any but my equals ; but an admonition from him that both out of nature and duty hath most care of your preservations and prosperities. And though I thus speak, I hope that your demeanors at this time will be such, as shall not only make me approve your former counsels, but lay on me such obligations as shall tie me by way of thankfulness to meet often with you. You may imagine that I came here with a doubt of success of what I desire, remembering the distractions of the last meeting : But I assure you that I shall very easily and gladly forget and forgive what is past, so that you will at this present time leave the former ways of distractions."

This harangue gave extreme offence, alike by its style and its matter ; it was plain that no redress of grievances was proposed in return for the supplies thus imperiously demanded ; and after all the recent acts of oppression perpetrated by royal authority, it might be thought that it was not the part of the king to offer pardon and oblivion as a boon. Lord keeper Coventry pronounced a speech nearly to the same effect, which he concluded by warning the two houses that if the parliamentary way of supply were delayed, "necessity and the sword of the enemy make way to the others." "Remember," he emphatically added, "his majesty's admonition, I say remember it !"

The house of commons, undismayed, though by no means unmoved, by these menaces, immediately formed its committees for religion, for grievances and for trade, and then proceeded to debate on the late invasions of law and liberty ; when Sir Francis Seymour thus gave utterance to the general feeling. "How can we express our affection while we retain our fears, or speak of giving till we know whether we have any thing to give ? For if his majesty may be persuaded to take what he will, what need we give ? That this hath been done, appeareth by the billeting of soldiers. . . . the imprisonment of gentlemen for refusal of the loan ; who if they had done the contrary for fear, their faults would have been as great as theirs who were the projectors of it. To countenance these proceedings, hath it not been preached in the pulpit, or rather prated ; all we have is the king's, *jure divino* ? When preachers forsake their own calling and turn

ignorant statesmen, we see how willing they are to exchange a good conscience for a bishopric."

Sir Robert Philips, to the wrongs already enumerated added one which he treated as the "main one;" "Religion made vendible by commission, and men for pecuniary annual rates dispensed withal, whereby papists may, without fear of law, practise idolatry, scoff at parliaments, laws and all." Afterwards, in pleading that freedom had always been the birth-right of the people, he triumphantly asked, "Was there ever yet king of England that directly violated the subject's liberty and property, but their actions were ever complained of and redressed?" The oppressions under which the country groaned, he divided into acts of power without law, and judgments of law against liberty, and wound up all with "that fatal last judgment against the liberty of the subject argued and pronounced but by one judge alone." . . . "I can live," pursued the passionate orator, "although another who has no right be put to live with me; nay, I can live, although I pay excises and impositions more than I do; but to have my liberty, which is the soul of my life, taken from me by power; and to have my body pent up in a gaol, without remedy by law, and to be so adjudged—O improvident ancestors! O unwise forefathers! To be so curious in providing for the quiet possession of our laws, and the liberties of parliament, and to neglect our persons and bodies, and to let them lie in prison, and that during pleasure, remediless! If this be law, why do we talk of liberties? Why do we trouble ourselves with a dispute about law, franchises, property of goods and the like? What may any man call his own, if not the liberty of his person? I am weary of treading these ways, and therefore conclude to have a select committee deputed to frame a petition to his majesty for the redress of these things."

Sir John Eliot and other members expressed themselves to the same effect, and in a style not less pure and excellent; for it is worthy of remark, that no sooner was servile adulation, long since remarked among the principal causes of the corruption of eloquence, effectually checked, and a higher tone of moral sentiment attained, than the pedantic and garrulous inanity of king James's school of rhetoric passed away and was forgotten. English law had been trampled upon, English liberty cried aloud for champions and assertors, and not in vain; deep thoughts and high resolves were maturing in man-

ly bosoms ; great and important principles were to be laid down, noble sentiments to be uttered and inspired ; and they seized at once upon the language of truth and nature as their inalienable right.

Sir Thomas Wentworth was in the number of the loan refusers returned for this parliament ; he still enrolled himself in the ranks of opposition, and spoke with some show of vehemence against the principal grievances of the time ; but he was sufficiently the courtier to conclude his speech in these words : “ This hath not been done by the king, under the pleasing shadow of whose crown I hope we shall ever gather the fruits of justice ; but by projectors, who have taken from us all means of supplying the king, and ingratiating ourselves with him, by tearing up the roots of all property.”

Secretary Cook, affrighted at the gathering storm, now endeavoured to qualify the peremptoriness of the royal demands and soothe the house to compliance, by admitting that grievances should have their turn as well as supply ; he begged however to suggest, that the king's business ought, in honor of him, to have the precedence, and that unity of the parliament with the sovereign, and of the house within itself, was the most important point to be secured, from the efficacy it would have in preventing “ practices to sow divisions amongst us both at home and abroad.” “ The first sower of distractions amongst us,” he added, “ was an agent of Spain, Gondomar, that did his master great service here and at home. Since that, we have had other ministers that have blown the fire. The ambassador of France told his master at home what he had wrought here the last parliament, namely divisions between king and people, and he was rewarded for it. Whilst we sat here in parliament, there was another parliament of jesuits and other ill-willers within a mile of this place ; that this is true, was discovered by letters sent to Rome. The place of their meeting is changed, and some of them are where they ought to be.”

There was some address in this attempt, on the part of the secretary, to suggest that the popular party, by opposing the demands of the king and reprobating his measures, were in effect strengthening the hands of foreign enemies, and especially of the recusants whom they feared and hated : and in a certain degree it might be the case ; but these enlightened statesmen well knew, that the “ distractions” complained of had sprung from another, and a far deeper root, than the busy intrigues of foreign agents or their tools or accomplices ; and

disdaining the idea of a unity of which abject submission to the exorbitances of power must serve as the bond, they remained firm to their own plan of securing the lasting repose of the nation by causing regal authority again to respect the bounds marked out for it by the laws. They turned a deaf ear therefore to repeated messages from the king urging supply ; and in the different committees the late oppressions and grievances were set forth and warmly commented upon by the most distinguished speakers and patriots ; the fundamental principles of the English constitution being at the same time firmly laid down, and the venerated precedents of former ages drawn forth in long array for their support, by the eminent lawyers who formed a considerable body in the house, and who showed themselves for the most part faithful champions of the people's rights. The combined results of all their labors came forth at length in the celebrated Petition of Right ; and during the many weeks that this bill was in preparation, the struggles of the opposing parties, and the facts and arguments thus elicited, offered to the whole nation scenes and topics of the deepest interest.

It was discovered by the examination of witnesses before a committee, that the attorney-general had earnestly and repeatedly demanded, that the refusal of the judges to admit to bail the gentleman imprisoned by the king's command should be entered upon the record as a special judgment decisive of the general question in dispute ; to this the judges had prudently refused their consent ; yet he ceased not his importunities till a week before the meeting of parliament ; then, indeed, he had voluntarily taken back the draught which he had framed for the purpose, and allowed the business to drop in silence. " This draught of a judgment," remarked the venerable sir Edward Coke, " will sting us. . . . Being committed by the king's command, he must not be bailed,—what is this but to declare that any subject committed upon such absolute command may be detained in prison for ever ? I fear, were it not for this parliament that followed so close after that form of a judgment was drawn up, there would have been hard putting to have had it entered. But a parliament brings judges, officers, and all men into order."

In fact these judges were soon after called upon by the commons to justify their conduct in the house of lords, when Mr. Justice Whitelock affirmed that their refusal of present redress to these gentlemen was not a final decision ; that they were but remitted till the court had better advised of the

matter, and might have had a new writ the next day ; adding, “ They say we ought not to have denied bail ; I answer, if we had not done so, it must needs have reflected upon the king, as if he had unjustly imprisoned them I have spent my time in this court, and I speak confidently, I did never see, or know by any record, that upon such a return as this, a man was bailed, the king not first consulted with, in such a case as this. The commons house do not know what letters and commands we receive ; for these remain in our court, and are not viewed by them.” His brethren excused themselves nearly in the same manner, none of them daring to urge even the shadow of law for their defence, but basely pleading those “ letters and commands” which they had chosen to obey in violation of their duty and their oaths. The recent displacement of lord chief justice Crew, had indeed feelingly taught these functionaries by what tenor they held their offices, and a few months afterwards the lesson was repeated in the person of chief baron Walter ; the same who, under the preceding reign, being selected as the instrument of the court in the prosecution of Coke, returned his brief, saying, “ May my tongue cleave to the roof of my mouth whenever I open it against sir Edward Coke !” A similar repugnance to rise upon *his* ruin was manifested even by the judge whose subserviency had most disgraced him. “ The chief baron Walter is put out,” says Bulstrode Whitelock in his Memorials, “ and the king said of judge Whitelock that he was a stout, wise, and a learned man, and one who knew what belonged to uphold magistrates and magistracy in their dignity ; and there was some speech of making him chief baron in the room of Walter ; but my father had no great mind to succeed Walter ; because Walter alleged that his patent of that office was *quamdiu bene se gesserit*, and that he ought not to be removed but by a *scire facias*.”

A petition against recusants was agreed upon at a conference of the two houses, in which, amongst other proofs of the increasing boldness of the catholics, it was mentioned, that they had now in England a bishop consecrated by the pope, with all subaltern officers, who exercised jurisdiction throughout the kingdom, made visitations, kept courts, and decided ecclesiastical causes ; and that even the regulars had taken deep root ; that they had planted their societies and colleges of both sexes, had settled revenues, libraries and vestments ; and proposed to hold a concurrent assembly with the parliament ; on all which accounts full

and due execution of the laws was prayed against them. But it was said at court, that in the essential point of religion, a cheerful contribution to the loan, the papists were perfectly orthodox, and the puritans the only recusants; and the king was on that account so exceedingly loth to give them any molestation, that although he found it expedient to return first a general, and afterwards a more particular assent to the petition, he could not refrain from exhibiting great displeasure on the occasion. On a petition being moved by the puritanical party for the appointment of a day of fasting and humiliation, he remarked, that as we pray to God to help us, so we must help ourselves. For we can have no assurance of his assistance if we do lie in bed and only pray, without using other means. "And therefore," he added, "I must remember you, that if we do not make provision speedily, we shall not be able to put one ship to sea this year." Having however complied with the sense of both houses in the matter of recusants, he caused the supplies to be again proposed to the commons; but sir Edward Coke stated, that subsidies had been obstructed in the time of Henry IV., when one or two great men about the king so mewed him up, that he took no advice but from them; and sir Thomas Wentworth and others, opposed to the power of the duke, strongly supporting the same side, it was agreed to waive the royal propositions and proceed with grievances.

A resolution now passed, that no freeman ought to be confined by warrant from the king or privy council, or others, unless by due course of law; and the learned Selden took occasion to explain, that confinement was a different thing from imprisonment, and that it was a punishment totally unknown to the English law, except that the Jews had been confined in former times to the Old Jewry; that the civilians indeed had perpetual and coercive prisons. Sir Thomas Hobby added, that recusants were confined in strong places in the year 1588, but that it was not held legal, and that when the Armada was dispersed, they were liberated, and the parliament petitioned the queen for a law to warrant the confinement. Two successive messages were brought from the king; the first a conciliatory one, contradicting for the duke a report of sharp speeches made by him in council against the parliament, and, for the king himself, disclaiming all intention of encroaching upon the people's liberties; the second, another and more pressing demand for money. On this, five subsidies were voted; a greater number than had

ever before been granted^d at one time, though the amount, as his majesty took care to make known, was still inferior to his wants. Secretary Cook informed the house, that the king, on learning that the supply had been carried unanimously, was greatly affected by such a proof of their duty and affection, and professed that it would bring him back to his pristine love of parliaments, which he had lost he knew not how. This declaration being well received, the secretary was encouraged to go on, and repeated a speech of the duke's made to the king at the council, expressing *his* approbation also of the proceeding of the commons, in reward of which, said he, "I am a humble suitor that I, who have had the honor to be your favorite, may now give up that title unto them; they to be your favorites, and I to be your favorite;" going on to express his sorrow that he should have been thought "the mean of separation that divided the king from the people," and promising to approve himself "a good spirit, breathing none but the best of services to them all."

But this lofty patronage of the representative body by the only man who had ever dared in England openly to arrogate to himself the odious title of a favorite, was felt as an additional insolence, which was thus reprehended by Eliot. "Is it that any man conceives that the mention of others, of what quality soever, can add encouragement or affection to us in our duties towards his majesty, or give them greater latitude or extent than naturally they have? Or is it supposed that the power or interest of any man can add more readiness to his majesty in his gracious inclination to us, than his own goodness gives us? I cannot believe it; I am sorry there is this occasion that these things should be argued, or this mixture, which was formerly condemned, should appear again. I beseech you, sir, let it not be hereafter; let no man take this boldness, within these walls to introduce it."

The commons now transmitted to the lords their "resolves" respecting the liberty of persons, and several members were appointed to take up particular parts of the argument in this momentous conference. Sir Dudley Digges, by way of introduction, showed the immemorial, and as it were sacred antiquity of the English common law, "grounded on reason more ancient than books, and continued in most part the same from Saxon times," and he then set forth the oppressions, and still more the denial of legal redress, which had compelled the parliament thus solemnly "to examine by acts of parliament, precedents and reasons, the truth of the Eng-

lish subjects' liberties." Mr. Littleton then cited magna charta and the confirmations of it by successive princes, with all the later enactments by which personal liberty and private property were secured. The king's counsel here brought some technical objections, and argued for his majesty's power of committing by prerogative without cause assigned; yet were obliged to acknowledge that the seven statutes urged by the commons were in force. Their objections were cleared and answered, and Selden argued next. "It might seem," he said, "that after the many acts of parliament which are the written law of the land, and are expressly in the point, had been read and opened, and objections answered, little remained needful to be added; but that the house of commons, taking into consideration that in this question, being of so high a nature, that never any exceeded it in any court of justice whatsoever, all the several ways of just examination of the truth should be used, have also carefully informed themselves of all former judgments or precedents concerning this great point;" and these he was charged to unfold. He explained, that whenever any *right*, or liberty belonged to the subject, whether by the written or the unwritten law, some *remedy* had also been given by law, for enjoying or regaining this right or liberty, when violated or taken from him. That the writ of *habeas corpus* was the remedy provided in cases of arbitrary imprisonment by special command of the king or council; and he produced twelve precedents to show that under it, persons so imprisoned ought to be liberated on bail by the court of king's bench.

Last of all, sir Edward Coke, the Nestor of the host, "took up the argument as to the rational part of the law." The lapse of eighty years had neither dissipated the mighty stores of legal learning which it had been the business of his life to accumulate, blunted his perspicacity, nor quenched his ardor. Long since a confessor in the cause of English law, of which he had been the vigilant and almost sole protector against the encroachments of civilians and the prerogative doctrines of king James, habit as well as reflection had served to rivet his attachment to that venerable system; and when he again saw its very foundations assailed and in danger to be overthrown, it was rather with the spirited alacrity of youth than the 'sober zeal of age' that he sprang forth to its defence. "I am much transported with joy," he said, "because of the good hope of success in this mighty business, your lordships being so full of justice: And the very theme and subject

doth promise success the freedom of an Englishman not to be imprisoned without cause shown ; wherein I will not be prolix nor copious ; for to gild gold were idle and superfluous." Yet he proceeded to pour upon the subject a full stream of law and logic, and in the close skilfully brought the subject home to the bosoms of the peers by observing, that this unlimited claim of the power of arbitrary imprisonment touched them as much as the lower house ; and that common dangers required common aid ; wherefore their concurrence had now been sought in a declaration of rights, and in such further course as might secure both their lordships and the commons and all their posterity in the enjoyment of their ancient, undoubted, and fundamental liberties.*

The two following days were occupied in debates respecting the unlawful billeting of soldiers ; and in the meantime the king was busied in seeking expedients to obstruct the petition of right in its progress through the two houses ; as an act to which he abhorred to grant, yet dared not openly refuse his assent. A message which he sent to the commons desiring that on account of the urgency of business they would make no recess at Easter, was an interference which gave offence. "I am as tender of the privileges of this house," said sir Edward Coke, "as of my life, and they are the heartstrings of the commonwealth. The king makes a prorogation, but this house adjourns itself." And it adjourned accordingly.

On resuming, the commons were again urged by repeated messages for supply ; and when they persisted in following their own course, the secretary informed them, and as he said, with grief, that "notice was taken as if this house pressed not upon the abuses of power only, but upon power itself." This was again "very displeasing" to the commons, and it was observed that such messages in the time of the king's father had done no good. An address was now drawn up for the purpose of setting his majesty right as to the sentiments and intentions of parliament, accompanied by a petition against the billeting of soldiers in private houses. The king replied in a tone of displeasure, and deferred giving an answer to the petition.

Martial law was the next grievance debated, and a conference of the two houses was held respecting it, at which serjeant Ashley, for saying that the propositions of the commons tended to anarchy, and that they must allow the king

* Rushworth, i. 533, *et seq.*

to govern by acts of state, was committed by the lords and obliged to retract.

The peers now delivered to the commons, by the hands of archbishop Abbot, some propositions for saving to the king a power of committing *by prerogative*, that is to say *illegally*, in extraordinary cases, of which he was left the sole judge ; but to these, as destructive of the whole object of the petition of right, they refused their assent. On the failure of this attempt, the king on April 28th came to the house, and in his presence the lord keeper, by his command, delivered a speech again pressing for supply, and assuring the house that his majesty held magna charta and the other statutes in force ; that he would maintain his subjects in the just freedom of their persons and safety of their estates, and would govern according to the laws ; and that they should find as much security in his royal word as in any law they could make, so that they should never in future have cause to complain. He concluded thus : “ The wrath of a king is like the roaring of a lion, and all laws with his wrath are to no effect ; but the king’s favour is like the dew of the grass ; there all will prosper.” This was the phraseology of oriental despotism, not of the English constitution ; it was in itself an insult to the legislature, and it could not be believed that the prince who caused it to be employed was sincere in his professed intention of respecting the liberties of the people in his administration. Evasion might even be detected in the very terms in which the royal word was tendered ; and the representatives of the people would have viewed themselves as betrayers of their trust, had they now rested satisfied with less than the most solemn and authentic pledge which they could ask or he could give. It was accordingly resolved to proceed with the draught of the bill.

On May 1st, the king sent by the secretary to know decidedly whether the house would rest on his royal word or no ? “ Upon this there was silence for a good space.” Secretary Cook then rose, and after excusing what was past on the plea of the king’s necessities at first coming to the crown, asked what better security than his word they could desire for the future ? He intimated that the proposed bill would be considered as an encroachment on the prerogative, and would “ find difficulty with the king or with the lords ;” and he audaciously added, “ Do not think that by cases of law and debate we can make that not to be law which in experience we every day find necessary : make what law you will,

if I do discharge the place I bear, I must commit men, and must not discover the cause to any jailor or judge." Sir Robert Philips said on this, "that if the words of kings strike impressions in the hearts of subjects, then do these words upon this occasion strike an impression in the hearts of us all ; to speak in a plain language, we are now come to the end of our journey, and the well-disposing of an answer to this message, will give happiness or misery to this kingdom." Sir Edward Coke represented, that the king had previously sent word that the parliament might secure themselves any way, by bill or otherwise, he promised to give way to it ;" and therefore his royal word was to be taken in the solemn form of a grant, or an assent to a bill : And this resolution prevailed. In a peremptory message, Charles now warned the house against encroaching on his prerogative, and announced his intention of ending the session by Tuesday sennight at the furthest. Sir John Eliot complained of the king's persisting to believe that they "went about to make any thing new ;" of the intended shortness of the session, and of these frequent interruptions, proceeding from "misreports and misrepresentations" to his majesty. It was then determined to make a conclusive answer to all these royal messages by the mouth of the speaker ; and in very respectful terms his majesty was assured of the loyal and dutiful attachment of the house ; but informed, that in consequence of the late public violations of the laws and the people's liberties, they should proceed to frame a bill to which, as it would attempt not the smallest encroachment on the prerogative, they should hope for his majesty's gracious assent.

The king, in reply, again reproached them with delay of the public business, and showed a jealousy of their seeking to tie him "by new and indeed impossible bonds," which would render them accountable to God and the country for the ill-success of this meeting. He promised however to consent to a bill simply confirmatory of the ancient charters ; but this concession was again invalidated by a new message urging reliance on the king's simple word. By these multiplied evasions distrust was necessarily increased, and the very repugnance of the king to concede, offered a strong additional motive to the house to insist.

Baffled by the commons, Charles applied himself to the lords by a letter in which he manifested extreme reluctance to disclaim the power of arbitrary imprisonment, and expressed an anxious desire that his declaration that he would never

pervert such a power to purposes of oppression or arbitrary exaction, but would use it conscientiously in cases of state necessity only, might be accepted as a sufficient security for personal liberty. The peers accordingly proposed to add to the bill a saving clause for "that sovereign power with which his majesty was trusted for the protection, safety, and happiness of the people." But the sagacious leaders in the house of commons, with their jealous vigilance fully aroused, were no fit subjects for an artifice so futile. Selden, Pym, Noy, Wentworth and others, immediately protested against an exception which, if they admitted it, would destroy the whole force of the rule, and in effect, leave the subject in a worse state than ever. "It is a matter of great weight," said sir Edward Coke; "and to speak plainly it will overthrow all our petition, it trenches to all parts of it I know that prerogative is part of the law, but sovereign power is no parliamentary word. In my opinion it weakens magna charta and all our statutes; for they are absolute, without any saving of sovereign power; and shall we now add it, we shall weaken the foundation of law, and then the building must needs fall Magna charta is such a fellow that he will have no sovereign."* On this momentous affair repeated conferences were held between the two houses; and the peers, yielding at length, perhaps not unwillingly, to the pertinacity of the commons, withdrew the clause and passed the bill in its original form. It was then presented to his majesty with a request that he would give it his assent in full parliament; and the eyes of the whole nation watched with intense anxiety for the event.

In the meantime, complaint was made in the house of commons of two sermons preached by Roger Manwaring, a royal chaplain, before the king and court, in which he, like Sibthorp, had ascribed to the sovereign an authority superior to the laws and independent of parliaments, and a power of levying taxes by his sole prerogative, which it was an impiety worthy of everlasting perdition for the subject to resist. As a specimen of the language which this clerical sycophant, in the prodigality of his baseness, had addressed without reproof to the ear of a prince eulogized for his piety, the following sentence may be offered. "Of all relations, the first and original is between the Creator and the creatures; the next between husband and wife; the third between parents and chil-

* Rushworth, i. 568.

dren, the fourth between lord and servants ; from all which fore-named respects there doth arise that most high, sacred, and transcendent relation between king and subject."

Charles did not think proper, in the present crisis of his affairs, to interpose to screen his slave from the animadversion of parliament ; and Manwaring in spite of his palliations and excuses, and the submission which he pronounced with many tears, was sentenced by the lords, at the suit of the commons, to be imprisoned during the pleasure of the house, to pay, 1000*l.* to the king, and to be suspended for three years from his clerical functions ; he was declared for ever incapable of ecclesiastical preferment, and his book was ordered to be called in and burned. Pym was the chief conductor of this impeachment, in which the severe and arbitrary spirit of the star-chamber seems to have been too closely copied.

At length the important day arrived ; on June 2nd the king went to the house of lords, and after assuring the parliament of his purpose to give them satisfaction respecting the Petition both in form and substance,—to the general surprise and disappointment, evading the customary form of royal assent, pronounced these words. "The king willeth that right be done according to the laws and customs of the realm ; and that the statutes be put in due execution, that his subjects may have no cause to complain of any wrong or oppressions, contrary to their just rights and liberties, to the preservation whereof he holds himself in conscience as well obliged, as of his prerogative." There was perhaps no weaker act than this in the whole life of Charles, and its consequences were irreparable. The commons of England, having repeatedly declared and fully proved, that they sought nothing but their undoubted right to be governed by the laws of the land ; to which the king had pledged obedience by his coronation oath, but which in points of the most vital interest he had manifestly and repeatedly violated ;—having rejected the evasion proposed by the other branch of the legislature, and obtained its full concurrence in their original bill ;—willing to forgive, but unable to forget, the past delinquencies of their prince ;—having rejected as worthless all slighter securities, came to demand of him a solemn pledge for his future conduct in the authentic form of legal assent to a declaratory law.—Was this a time, was this a cause "to paffer with them in a double sense?" Could there be any middle way in such a case ? They had required nothing more than their right, they had refused to be contented with less : The king, without troops, without

treasure, almost without a party, wanted alike strength and boldness to refuse their bill and openly assert the tyrant. After numerous delays and various shiftings he had promised them full satisfaction, he had sent for them to receive it,—he dismissed them with a subterfuge, and had the incredible folly not to perceive, that it was a negative imbibited by a mockery and accompanied by a confession of weakness.

On the return of the commons to their own house, the general indignation burst forth ; the popular leaders suffered themselves to be transported beyond the bounds of their former respectful forbearance, and sir John Eliot “stood up and made a long speech, wherein he gave forth so full and lively a representation of all grievances, both general and particular, as if they had never before been mentioned.” Some members were displeased, fearing that such a representation would only serve to exasperate the king, whom they still hoped to reconcile ; but the majority urged him to proceed ; and it was resolved, on the motion of sir Edward Coke, to present his majesty a remonstrance “touching the dangers and means of safety of the king and kingdom.” Meantime the business of the subsidy was postponed. A royal message now announced, that his majesty was resolved to abide by his answer, “full of grace and justice,” to their petition, and urged them to conclude their business before the early day fixed for the dissolution. Two days after, the king sent to assure them once more, that he would keep his time for ending the session, and to command them to enter into no new business which might spend time, or “lay any scandal or aspersion upon the state, government, or ministers thereof.” Sir Robert Philips then rose, and with the most pathetic earnestness bewailed the unhappy issue of all their well-meant endeavours to cure the people’s wounds and do that which would have made the king himself great and glorious:—to have given him true information of his and the nation’s danger. “But,” said he, “we being stopped, and stopped in such a manner, as we are enjoined, so we must now cease to be a council. I hear this with that grief, as the saddest message of the greatest loss in the world ; but let us still be wise, be humble ; let us make a fair declaration to the king.” Sir John Eliot followed ; and after solemnly protesting that the commons intended nothing but to vindicate their king and country from dishonor, he proceeded thus. “It is said also as if we cast some aspersions on his majesty’s ministers ; I am confident no minister, how dear soever, can. . . .” Here the

Speaker, apprehending he was about to fall upon the duke, started from the chair, saying ; “ There is a command upon me that I must command you not to proceed.” Sir John Eliot sat down.

A scene ensued the most pathetic, and its argury the most appalling ever exhibited in the English house of commons ; thus vividly depicted in a letter written by Mr. Alured, one of the members present, on the following morning. “. . . . The house was much affected to be so restrained, since the house in former times had proceeded by finding and committing John of Gaunt the king’s son, and others, and of late have meddled with and censured the lord chancellor Bacon and the lord treasurer Cranfield. Then sir Robert spake, and mingled his words with weeping ; Mr. Prynne did the like ; and sir Edward Coke, overcome with passion, seeing the destruction likely to ensue, was forced to sit down when he began to speak, through the abundance of tears ; yea, the Speaker in his speech could not refrain from weeping and shedding of tears, besides a great many whose great griefs made them dumb and silent ; yet some bore up in that storm, and encouraged others. In the end, they desired the Speaker to leave the chair, and Mr. Whitby was to come into it, that they might speak the freer and the frequenter, and commanded no man to go out of the house upon pain of going to the Tower. Then the Speaker humbly and earnestly besought the house to give him leave to absent himself for half an hour, presuming they did not think he did it for any ill intention ; which was instantly granted him. Then upon many debates about their liberties hereby infringed, and the eminent danger wherein the kingdom stood, sir Edward Coke told them he now saw God had not accepted of their humble and moderate carriages and fair proceedings, and the rather, because he thought they dealt not sincerely with the king and with the country, in making a true representation of the causes of all these miseries, which now he repented himself, since things were come to this pass, that we did it not sooner ; and therefore he, not knowing whether ever he should speak in this house again, would now do it freely ; and there protested that the author and cause of all these miseries was the duke of Buckingham, which was entertained and answered with a cheerful acclamation of the house ; as when one good hound recovers the scent, the rest come in with a full cry, so they pursued it, and every one came on home, and laid the blame where they thought the fault was ;

and as they were voting it to the question whether they should name him in their intended remonstrance, the sole, or the principal cause of all their miseries at home and abroad, the Speaker, having been three hours absent and with the king, returned with this message ; That the house should then rise till tomorrow morning. What we shall expect this morning, God of heaven knows.”*

These extraordinary signs of agitation in the house of commons, had evidently inspired the ministers with extreme alarm ; it was plain that no concession would come from that quarter ; the vote of subsidy would not be passed into a law till the petition of right were secured ; and to dissolve another parliament without any relief to the king's necessities, was to plunge again into the most appalling difficulties. It was therefore found necessary for Charles, by a new message, to disclaim, however inconsistently, all intention of restraining the commons from their “ just privileges” to complain of his ministers ; and the commons, having prevailed upon the lords to join them in a humble request to the king for a more satisfactory answer to their petition, resumed its consideration of grievances with an inquiry respecting the secret levy of foreign troops in Holland.

At length, on June 8th, the king once more made his appearance in the house of lords, and causing the petition of right to be read, after some expressions which looked like a lingering reservation for what he was pleased to consider as his prerogative, gave his assent to it in the customary form. The joy of the people on this event was unbounded : bells were rung, bonfires lighted, and a day of festivity celebrated throughout the metropolis.

This memorable charter of English liberties consists simply of a perpetual renunciation on the part of the king of four kinds of oppression stated to have been lately exercised against the people, contrary to the common law and statutes : The levy of loans or taxes not enacted by common consent in parliament, and the imposition of unlawful oaths and the subjecting of men to confinement and other molestations respecting them : Imprisonment without due process of law by the king's special command : The billeting of soldiers in private houses : and lastly, Commissions for subjecting soldiers and others to martial law, when they are rightly amenable to the common justice of the country. It was perfectly true

* Rushworth, i. 568.

that nothing was added by this instrument to the recorded rights of Englishmen, nor anything taken away from the legal powers of the crown ; but tyranny and oppression had in some of these points been exercised so frequently by his predecessors, and in all of them had been carried so far by himself, that the subjects of Charles esteemed it more than a victory to be but promised hereafter the unmolested enjoyment of what was incontrovertibly their own.

Great alacrity was now manifested in the commons to carry though the bill for subsidy, which the king was understood to have earned by his late compliance, and also that for tonnage and poundage ; but it still appeared expedient to the majority to present a remonstrance capable of opening his eyes to the chief abuses and grievances of his government, still unredressed. In the debates on this topic, the forbidden question,—who was the chief cause of all these grievances ? was still recurring, and indeed could not but recur ; and after warm discussions it was determined that a complaint of the excessive and abused power of the duke of Buckingham, and a prayer for his removal from office, should form a prominent feature of the remonstrance. At this juncture, the king caused the bill exhibited against the duke in the star-chamber, together with his answer and all the further proceedings, to be taken off the file ; upon his own certain knowledge, as he expressed himself, together with other proofs, of his innocence ; and in order that no record should remain against him tending to his disgrace. The duke likewise made an attempt to vindicate himself to the house from certain calumnies. But all these efforts were useless, if not injurious ; and the exasperation of the people against him mounted to a kind of fury. An empiric of infamous character named Lamb, commonly called the duke's conjurer, and popularly believed to have been employed by him in poisonings and other deeds of darkness, was set upon by the London mob in the streets, in open day, and beaten to death ; and a rude rhyme was on the lips of the multitude, threatening his master with a like fate. No one would inform against the perpetrators of this outrage, in order to bring them to justice, and on that account a fine of 6000*l.* was arbitrarily imposed upon the city by the council.

Within the walls of the house of commons as well as without, the duke had now been pointed out as the 'evil counsellor who had obstructed the royal assent to the petition of right, and sown dissensions between the king

and the parliament for the purpose of averting the impeachment which hung over him. Under these circumstances, the safety of the favorite and the longer duration of the session were manifestly incompatible ; and Charles, determined which to prefer, awaited only a pretext to end the struggle. This was soon supplied ;—the illegal commission of excise granted before the meeting of parliament, as well as the unauthorized levy of tonnage and poundage, having been added to the topics of the remonstrance, already a long and severe one, the king, on June 26th, suddenly appeared in the house during the reading of this piece, and abruptly announcing that he came to end the session, declared as the motive ; That he had never intended by the petition of right to restrain himself from levying tonnage and poundage, a chief branch of his revenue, and one which he could not dispense with ; and that he was resolved to receive no remonstrance to which he must give a harsh answer. He took occasion to assert, that he owed an account of his actions to God alone, and ended by claiming for himself, through his judges, the sole right of interpreting the laws and declaring the true intent and meaning of his own concessions :—An evasion by means of which all the barriers against arbitrary power just erected with such consummate skill and inflexible resolution, seemed again to vanish into thin air.

It is a remarkable trait of the hasty and passionate character of Charles's political measures, that his appearance in the house on this occasion was so sudden, that the peers had not time even to put on their robes ; and the subsidy-bill and some others were of necessity submitted for the royal assent without certain customary forms.

Parliament was at this time prorogued to a day in October, and afterwards to the ensuing January.

CHAPTER VII.

1628. 1629.

Expedition prepared for the relief of La Rochelle.—The duke of Buckingham assassinated by Felton.—Particulars.—Treatment of Felton.—The judges declare against putting him to the rack.—His death.—Character of Buckingham.—Behaviour of the king respecting him.—His funeral.—His expenses compared with those of Dudley earl of Leicester.—Failure of the expedition and fall of La Rochelle.—Williams restored to favour by Buckingham but again expelled by Laud.—Wentworth gained over and made a peer.—Laud bishop of London.—Preferment of Montague and Manwaring.—Abbot conciliated.—King resolves to take a high tone with parliament.—Its opening.—Fraud of the king respecting the petition of right.—Case of Mr. Rolls.—Disagreement of king and commons on tonnage and poundage.—Vow of the commons to resist ecclesiastical oppressions and encroachments.—Complaints of the merchants.—King defends the acts of the officers of customs.—Report of religion.—Oliver Cromwell.—Licensing of books.—Eliot attacks ministers and bishops.—The house commanded to adjourn.—Speaker held in the chair and a remonstrance voted.—Members committed.—Parliament dissolved.—Proceedings against the imprisoned members, and conduct of judges.—Court revenge upon the merchants.—Various encroachments of arbitrary courts.—Conduct of imprisoned members.—Account and letters of sir J. Eliot.

WITH coffers recruited by the subsidies of his people, Charles again turned his attention from parliamentary contests to foreign warfare ; and the fleet under the earl of Denbigh having failed even to attempt anything for the relief of the ill-fated La Rochelle, now closely invested by the forces of the French monarch under the active superintendence of Richelieu, a new expedition was projected for that purpose, in which Buckingham flattered himself with hopes of retrieving the honor, personal and national, squandered in his rash attack on the Isle of Rhé.

The armament was to sail from Portsmouth, whither the duke had repaired to inspect the preparations ; the king with his court was lodged four miles distant, and all was nearly in

readiness. On the morning of August 23d a brilliant circle of naval and military officers, nobility, courtiers and suitors of different classes, attended the levee of the duke. The prince de Soubize and other French refugees had been in eager debate with him, laboring to prove that some intelligence which he had received of the relief of La Rochelle was false and designed to damp his enterprise. The conversation being ended, he was passing out from his dressing-room to the hall, when, amid the crowd in the lobby, an unseen hand, striking from behind, planted a knife in his bosom; he plucked it himself from the wound, and staggering a few steps dropped and expired. In the confusion which ensued, no one having marked the assassin, suspicion turned on the French gentlemen, owing to the altercation which had just occurred, and they were with difficulty saved by calmer bystanders from the fury of the duke's attendants. A hat was then picked up, in which was sewed a paper containing these lines: "That man is cowardly base, and deserveth not the name of a gentleman or soldier, that is not willing to sacrifice his life for the honour of his God, his king and his country. Let no man commend me for the doing of it, but rather discommend themselves, as the cause of it; for if God had not taken our hearts for our sins, he had not gone so long unpunished.

"JOHN FELTON."*

Time sufficient had elapsed for the owner of the hat to have made his escape, had he been so disposed; but glorying in the deed, and careless of the consequences, he remained on the spot; and hearing the cry, "Where is the man that killed the duke?" he advanced, and calmly answered, "I am he." On being seized, he was immediately thrust into a small guard-house, "horribly laden with manacled irons, neither to sit nor to lie down, but to be crippled against the wall,"† and a gentleman was sent off to know his majesty's further pleasure. A royal chaplain was speedily dispatched to visit the prisoner, and under pretence of affording him spiritual consolation to find out if possible his motives and accomplices. Felton sagaciously observed, that he was not so ignorant as to believe himself worthy of the reverend gentleman's consolations, but he would receive him as an examiner; and after some further discourse, "Sir," he said, "I shall be brief; I

* From the original in the possession of Mr. Upcot.

† Sanderson, p. 122.

killed him for the cause of God and my country." The divine replied, by using a pious or political fraud,—that the surgeons gave hopes of his life. "It is impossible," exclaimed the enthusiast; "I had the power of forty men, assisted by him that guided my hand." From subsequent interrogations these particulars were collected: That he was named John Felton, a younger brother of a decayed house in Norfolk, and formerly a lieutenant of foot under sir James Ramsey; that he failed of obtaining a captains' commission in the present expedition, but that he bore no ill-will on that, or any other private account to the duke, from whom he had received handsome treatment. But that, "the remonstrance of parliament published him as so odious, that he appeared to him deserving of death, which no justice durst execute. Something he said of a sermon at St. Faiths, where the preacher spoke in justification of every man's being, in a good cause, the judge and executioner of sin; which he interpreted as meant for him: That passing out at the postern upon Tower-hill, he espied that knife in a cutler's glass and bought it; and from that time he resolved to stab the duke with it. Some days after, he followed him to Portsmouth, and sharpened his knife on a cross erected by the wayside; believing it more proper in justice to advantage his design, than for the superstitious intent it was first erected. That he found continual trouble and disquiet of mind until he should perform this fact, and came to town but that morning: That no living soul was accessory with him: That he was assured his fact was justified, and he the redeemer of the people's sufferings under the power of the duke's usurpations."*

It was thought proper to treat the assassin of so great a person in all respects as a state-criminal; he was therefore conveyed to the Tower, and examined by members of the privy-council; and on his persisting to deny that he had any accomplices, he was threatened with the rack, both, as it is said, by the duke of Dorset, and by Laud, whose dread of a like fate, the effect of the popular odium in which he largely shared, no less than his attachment to his patron, added exasperation on this occasion to the native fierceness of his temper. The king also was desirous that this atrocity should be resorted to, if the judges could be brought to sanction it; but on their honorable and unanimous declaration, that the use of torture had been at all times unwarrantable by the

* Sanderson, p. 122.

English law, his majesty, we are told, "declined to use his prerogative" in the affair. For some time the prisoner continued to maintain the lawfulness of his deed, but at length, "through the continual inculcation of his majesty's chaplains, and other of the long robe,"* he was brought to such a sense of guilt as to desire that the hand that struck the blow should be cut off before his execution. The king was not backward in expressing his wish that advantage should be taken of the offer; but the opinion of the judges was again interposed to save English justice from the stain of cruelty; "neither himself nor the endeavours of the king's friends could procure him a sharper punishment than law and custom provides, in case of a murder, for the meanest subject;"† and about three months after the fact, he was sent down to Portsmouth and there hung in chains.

George duke of Buckingham, that eminent favorite of two successive sovereigns to whose power and arrogance English history has happily never since produced a parallel, was cut off at the age of thirty-six, after a domination of about twelve years, reckoning from the fall of his predecessor Somerset. As it was neither by genius nor industry, by wisdom in counsel nor valor in the field, that the handsome Villiers had possessed himself of the "soon won affections" of king James, the rapidity of his rise at court, "where," says Clarendon, "as if he had been born a favorite, he was supreme the first month he came," forms no just criterion of his capacity. Even in contemplating him during a course of public employment apparently calculated, whatever causes might have introduced him to it, to bring forth all his qualities into open day, it will be found less easy to estimate his powers of intellect than to catch the strong lights and shades of his temper and to portray his moral qualities. Nature and fortune by endowing him with beauty, grace, spirit, a haughty confidence, and the pre-eminent favor of his prince, had done almost enough to render him absolute at the court of James; yet it is evident that his unceasing vigilance and active energies powerfully cooperated to maintain him at his giddy height; and the conquest which he achieved over the sullen reserve of the heir-apparent, and the just indignation with which his insolent assumption had inspired him, was clearly due to skill and not to fortune. Changing adroitly his manners with his masters, he appears to have dropped with

* Osborne's *Advice*, part ii. c. 45.

† Ibid.

the son the imperious tone, the importunate urgency, which had secured his ascendancy over the weak fondness and indolent good-nature of the father ; and content to put on the servant in order to be in effect the master, he learned to receive back as original emanations of the royal mind, suggestions of which he was himself the secret author, and thus to sway by submitting. Availing himself of the leading foibles of Charles's mind, excessive pride of station and despotic will, he led him to believe that it was for the interest of his own glory to crush by acts of power the opposition audaciously aimed against the royal favorite ; and thus, carrying along his master with the momentum of his own impetuosity, he was enabled to subdue all his enemies, humble the whole court beneath his feet, disconcert an impeachment, break two parliaments, whose necks he could not bend, and plunge the nation into two unnecessary and inglorious wars, the fruits of his own selfish intrigues or ungoverned passions. All this time he knew how to counterfeit loyal devotedness so skilfully, that the deluded monarch conceived the notion that his favorite minister, solely intent on subduing faction, reducing the popular branch of the legislature to insignificance, and establishing the revenue of the crown on an independent footing, was generously braving the indignation of a whole people in *his* cause alone and that of his cherished prerogative.

With all due allowance then for many favoring circumstances, facts prove him to have possessed boldness, promptitude, great insight into the characters which it was his interest to study, and perhaps as much depth of thought as is consistent with unbridled sensuality, and a spirit merely worldly,—with base designs and selfish ends. Neither was he destitute of such plausible qualities as win adherents and pass in courts for virtues. He was courteous and affable to all men, excepting the peculiar objects of his jealousy and resentment ; splendid, magnificent, and bountiful even to profusion. Warmly attached to his family and connexions, he was unwearied in heaping upon them wealth, places and honors ; their merits, or their capacities for the public service, he never deigned to estimate or to make any part of his consideration. His brothers, as well as himself, profited by the most oppressive and iniquitous monopolies ; his mother, a bad and artful woman who had great influence over him, received enormous bribes from suitors of every class ; and either by himself or his relations, all offices, even of judicature, were rendered grossly venal. He was not less vehement or less

open in his enmities than his friendships, usually giving full notice to his intended victim of his fixed purpose of ruining him, and of the impossibility of appeasing his anger or averting its effects. But the frankness of offended pride or rancorous resentment, is not to be placed in the list of virtues ; and where he judged it more for his interest to circumvent than boldly to confront a rival or a foe, he willingly, as in the case of Bacon, availed himself of artifice.

It is said by one delineator of his character,* to have been his chief misfortune that he never formed a worthy or equal friendship ; his rise being so sudden, that he required dependents before he was aware that he could ever stand in need of coadjutors. But favorites are proverbially destitute of friends ; and much more to be deplored was the misfortune of a nation in which the weakness or caprice of the prince was of force to lift an unpractised youth out of his native obscurity to a station where his private vices, and even his failings and infirmities, could acquire the dignity of public mischiefs.

In his manners, his propensities, and even in the footing on which he stood in society, Buckingham more resembled a prince than a minister ; and although it is said that much experience, seconding the elaborate instructions of king James, had given him a quick apprehension of business, and the power of speaking pertinently and gracefully, his want of prudence, moderation and self-command, his ignorance and carelessness of the true interests of the state, and his insolent contempt of the people and their representatives, must for ever have disqualified him for conducting the administration of affairs with credit to himself or advantage to his king or country.

His ambition prompted him to grasp at an universal dictatorship ; besides being in effect prime minister, and holding many other places of honor and profit, he was lord admiral, and at length generalissimo ; but as admiral, both gross negligence and shameful acts of rapacity and extortion were laid to his charge, and to his incapacity as a general, the misfortune at the Isle of Rhé was chiefly attributable. There can be no doubt that he exerted himself effectually, though covertly, in sowing dissensions between Charles and his young queen, and that so long as he lived she obtained no influence in public affairs. Some extraordinary traits have been pre-

* Lord Clarendon.

served of the insolence of behaviour in which he habitually indulged himself towards her majesty: On one occasion, when she had failed of paying a promised visit to his mother, he told her she should repent it; and on her answering somewhat sharply, he dared to remind her, that there had been queens in England who had lost their heads. Charles thought proper to pass over his insults to his wife with as much tameness as those which he had formerly offered to himself, and even the haughty Henrietta condescended, at the instance of Bassompierre, and with a view to certain matters of interest, to dissemble, if not to lay aside, her resentment, and accept of his patronage and protection with her royal husband.

Whatever judgment men might pass on the tyrannicide of Felton, which some even approved, it is certain that the fall of Buckingham, beyond the immediate sphere of his relations and creatures, was hailed both by the court and country as a signal and fortunate deliverance; within two hours of his death, the mansion in which he had held his state was completely emptied of clients, of flatterers, and even of the curious throng whom the horrible nature of the deed had drawn together; and the breathless body was left in such solitude, says a contemporary, "as if it had been lying in the sands of Ethiopia." All were gone for the court, to bustle, to intrigue; to beg for new favors or to secure the old; to hear and utter conjectures, to observe inclinations, to improve occasion, and above all, to learn how the king stood affected by the event.

It was as the king was at prayers in his presence chamber, with his courtiers kneeling around him, that a gentleman, bursting in and striding with unmannerly haste over the heads of the congregation, reached the king and whispered in his ear that the duke was stabbed to the heart by an assassin. The officiating chaplain stopped short; but the king, with an untroubled countenance, bade him go on; and to the end of the service, no sign of emotion was observed to escape him. As soon as this was known, the crowd of courtiers rushed to the conclusion that their master was, in fact, not displeased to be even thus relieved from a haughty favorite, hated by the people and accused by the parliament, whom he could neither abandon with dignity, nor protect without hazards and sacrifices. Immediately, all mouths were opened against the dead; his basest flatterers became, in course, his most envenomed calumniators, and his known enemies stood forth the expectant heirs of his power and favor. But

they were speedily taught their rashness and error. The apparent apathy of the king was no more than stateliness, or a sense of decorum, and it was thrown off the moment he retired to his private apartments; sir Dudley Carleton, in the letter which announced the death of the duke to the queen, tells her that, “his majesty’s grief was expressed to be more than great, by the many tears he hath shed for him.”* No indication followed of any inclination on the part of Charles towards conciliating the people by a withdrawal from the high prerogative course in which his minister was supposed to have engaged him; and in the next month, we find a court intelligencer transmitting to his correspondent the following report of the state of affairs.

“Some that observe the passages in court say the king seems as much affected to the duke’s memory as he was to his person; minding nothing so much for the present as the advancement of his friends and followers. And if any accuse him in any thing whereof his majesty might take notice, he imputes it wholly to himself; or if in other matters, he answers, ‘The party durst not say so if the duke were alive.’ Besides, he saith, ‘Let not the duke’s enemies seek to catch at any of his offices, for they will find themselves deceived.’ And whereas sir Ralph Clare and sir William Croftes, ever since they were turned out of their places in the privy chamber for opposing the duke in the second parliament of king Charles, have lyen within his majesty’s house of St. James’s, now, since the duke’s death, his majesty hath banished them thence also. His majesty since his death has been used to call him his martyr, and to say the world was much mistaken in him; for whereas it was commonly thought he ruled his majesty, it was clean otherwise, having been his majesty’s most faithful and obedient servant in all things; as his majesty hereafter would make sensibly appear to all the world.”†

The same letter mentions further, that the lord chamberlain had given orders to the heralds “to project as ample and stately a funeral as could be performed,” to be at the king’s cost, and that his majesty would also pay the duke’s debts, amounting to 60,000*l*. It seems however that his debt had been contracted by his advances for the public service, and that the king performed no more than an act of justice in discharging

* Ellis’s *Letters*, iii. p. 259.

† Ibid. p. 262.

it.* As for the funeral, on better advice, said to have been that of lord treasurer Weston, who was probably perplexed to find the money, all the projected display was laid aside, and it was at length performed at ten o'clock at night, "in as poor and confused a manner," says a letter-writer, "as hath been seen; marching from Wallingford house over against Whitehall, to Westminster Abbey; there being not much above an hundred mourners, who attended upon an empty coffin borne upon six men's shoulders; the duke's corpse itself being there interred yesterday; as if it had been doubted the people in their madness would have surprised it. But to prevent all disorder, the trainbands kept a guard on both sides of the way, all along from Wallingford house to Westminster church, beating up their drums loud, and carrying their pikes and musquets upon their shoulders, as in a march, not trailing them at their heels, as is usual at a mourning. And as soon as the coffin was entered the church, they came away without giving any volley of shot at all."†

It is related that the lord treasurer, who had diverted his majesty from making a public funeral for the duke, by suggesting that it would be a more lasting honor to build him a monument, being reminded of his own project by the king, who had thoughts of putting it in execution, disconcerted that design also, by observing, that he should be loth to acquaint his majesty what would be said all over Christendom if he should erect a monument to the duke, before he had raised one to the king his father. Possibly Charles himself, who was not habitually profuse, might begin to be of opinion that further cost would be ill bestowed on the deceased, whose life had been expensive to the crown no less than to the people.

From his first appearance at court, Buckingham had been pre-eminently distinguished for the pomp and splendor of every kind with which he affected to surround himself. He had studied in France the art of dress, and the gaiety and fashion of his apparel had greatly contributed to delight the eyes of king James. The amazing extravagance of his wardrobe and equipage on his French embassy has been already noticed. His jewels are said to have been underrated at his death at 200,000*l.*, and we have seen the testimony of Bassompierre to the unrivalled magnificence of his mansion and entertainments. Ignorant as he undoubtedly was of the

* Clarendon.

† Ellis's *Letters*, iii. 264.

letters, and probably of the arts, of Greece and Rome, he had formed a collection of antiques second only to that of the earl of Arundel; and he had begun to make purchases of manuscripts to be presented, as tokens of his munificence, to the university which had been compelled to choose him its chancellor. He was the first Englishman who drove a coach and six, and the first who used a sedan-chair; a novelty which gave great offence to the people, who exclaimed that he put his fellow-creatures to the service of brutes.

We happen to possess an inventory of the goods of Robert earl of Leicester, the favorite of Elizabeth, which, opposed to the foregoing particulars, may afford some grounds for an instructive comparison of times and persons. This nobleman, like Buckingham, died much involved in debt; the whole of his personal property was valued at somewhat less than 30,000*l*. His jewels and trinkets of every kind, exclusive of those appropriated to his countess, were estimated at 8000*l*. Apparel 1500*l*.; his best cloak 20*l*., his best gown 15*l*. Plate 4700*l*. Armour, carriages and horses 2000*l*. The furniture of his three houses, somewhat more than 11,000*l*. The expenses of his funeral were 4000*l*., whilst the estimate of that intended, but not performed, for Buckingham, was 40,000*l*.; a difference, perhaps, nearly proportionate to all the rest. The interval of time between the deaths of the two was no more than forty years, but the increase of national wealth and the progress of luxury had been rapid.

The grief of the king for the death of his favorite, however sincere, certainly did not interfere for an instant with his attention to public affairs. On the very next day, the earl of Lindsey was appointed lord admiral, with a vice- and a rear-admiral under him, and it was said, that by the presence and exertions of the king, more business was dispatched in a fortnight than the duke had transacted in two or three months.

The fleet sailed on September 18th, but ill-equipped and ill-provisioned, and steered for La Rochelle, now reduced to extremity by famine. No French fleet appeared to oppose the English armament; but the vast mole stretched across the harbour was by this time completed; all attempts to break through it were found fruitless; and even in sight of their allies, the wretched Hugonots were driven to the necessity of surrendering their town, with the famishing remnant of its brave and religious population, to the mercy of their bigoted and exasperated sovereign. The protestant people of England

deeply sympathized in the miseries of their brethren; many murmurs were heard against the cowardice or treachery of the earl of Denbigh, who had failed to succour the place while it was yet practicable.—But what better could have been expected, it was asked, from the brother-in-law of Buckingham, who was either himself a papist, or at least a favorer, of papists? The French protestants, driven to despair by the rigor with which they found themselves treated after the loss of La Rochelle their tower of strength, made one more application to the king of England for aid, in letters which, as they pathetically expressed themselves, were written with their tears and their blood; but a peace was now in agitation between the two courts, the French king would admit of no stipulations in favor of his rebellious subjects, and according to the usual fate of every sect or party which, finding itself the weakest at home, ventures on the perilous if not guilty expedient of calling in foreign aid, the power which for its own ends had encouraged them to resistance, now abandoned them without pity to their fate.

Many indications evince that Buckingham, during the last months of his life, had regarded his position as one surrounded with perils. Vague presages of approaching evil had haunted the minds of his nearest relations previously to his last journey to Portsmouth; mysterious warnings to guard his life had reached him from various quarters, and during his encampment on the Isle of Rhé, he declared to Dr. Mason, his confidential secretary, “whom he lodged in his own chamber,” says Wotton, “for natural ventilation of his thoughts,” that the multiplicity of cares and solitudes imposed upon him by his high and responsible offices as admiral and generalissimo in that important expedition, were yet light in comparison of the anguish which he endured from the ingratitude of some of his dependents, and his dread of intrigues against him in the court: Accordingly, some of his latest steps were directed to gain adherents or conciliate opponents. He had been induced secretly to readmit Williams to his presence, brought him to kiss the king’s hand, and promised him a renewal of favor, and in return, “had the bishop’s consent, with a little asking, that he would be his grace’s faithful servant in the next session of parliament; and he was allowed to hold up a seeming enmity and his own popular estimation, that he might the sooner do the work.”* But the gleam of favor which thus

* Hacket’s *Life of Williams*, part ii. p. 80.

broke upon the deprived lord keeper was brief and delusory. Soon after the duke's death, some attempts which he made to persuade the king to conciliate the puritans, roused afresh the jealousy of Laud, through whose intrigues he was once more disgraced, and subjected to groundless and vexatious prosecutions in the star-chamber. But a more lasting accession to the ministry, and one which drew long consequences after it, was made about the same time in the person of sir Thomas Wentworth, whose formidable opposition thus gained what seems to have been from the first its real object. The duke had been induced, apparently by the suspicion of some intrigue between Wentworth and Williams, to violate his former assurances of favor and protection to the Yorkshire baronet, who now, more wary, required from him something beyond professions as the price of his adherence ; and obtained, through the mediation of his friend lord treasurer Weston, a specific assurance of speedy promotion to the office of lord-president of the North.

That amid these changes of men no change of principles had been contemplated either by Buckingham or his master, the preferment of certain noted ecclesiastics gave evident proof. It had long been their joint wish to translate Laud from the see of Bath and Wells to that of London, in the room of Mountain, whom the king judged unfit, from his indolence and voluptuousness, to preside in that city which was "the retreat and receptacle of the grandees of the puritan faction ;" and over which he desired to place, for example's sake, "a bishop of such parts and power as they should either be unable to withstand or afraid to offend."* Various impediments however had delayed the completion of this arrangement ; Laud was already a privy-counsellor, and by far the most potent ecclesiastic at court, but it was not till the middle of July 1628 that he was actually installed in his new dignity. In this capacity it was immediately his welcome office to assist in the consecration of Montague, who, in defiance of the recorded judgment of the legislature, declaring him for ever incapable of church preferment, was nominated to the bishopric of Chichester ; "which action in the king," says Heylyn, "seemed more magnanimous than safe," on account of "the matter of exasperation" which it would minister to the house of commons, from whom a subsidy was within a few months to be required.

* Heylyn's *Life of Laud*, p. 165.

A good living vacated by the new bishop was immediately conferred on his fellow-culprit Manwarring, disabled by a similar sentence, which was followed by the deanery of Worcester and the bishopric of St. Davids. It is true that after the death of Buckingham, and immediately before the meeting of parliament, the king gave way to a few acts of a contrary aspect. Archbishop Abbot was "sent for to court about Christmas, and from out of his barge received by the archbishop of York, and the earl of Dorset, and by them accompanied to the king, who giving him his hand to kiss, enjoined him not to fail the council-table twice a week." Barnaby Potter a "thorough-paced Calvinian," but the king's "ancient servant," was preferred to the bishopric of Carlisle; and Montague's Appeal, after having been published three years and questioned in three parliaments; the copies being all sold and dispersed, the author made a bishop, and many answers ready to appear, was at length called in; without however any censure of its doctrine, but only as having been "the first cause of those disputes and differences which have since so much troubled the church," and on which his majesty had forbidden more to be written on either side. "Whether," adds the disciple and biographer of Laud, "his majesty did well in doing no more, if the book contained any false doctrine in it; or in doing so much, if it were done only to please the parliament, I take not upon me to determine; but certainly it never falleth out well with christian princes, when they make religion bend to policy, or think to gain their ends on men by doing such things as they are not plainly guided to by the light of conscience: And so it happened to his majesty at this time; these two last actions being looked upon only as tricks of king-craft, done only out of a design for getting him more love in the hearts of his people than before he had."* Such were the comments to which the double-dealing of Charles already subjected him, even from that party which had most cause to boast of his favor and protection!

Preparatory to the opening of the session, a select, or cabinet-council was held, in which the following plan of proceedings was agreed upon. The ministerial members were to urge the speedy passing of a bill for tonnage and poundage, granting these duties to his majesty from the beginning of his reign; and the king, if necessary, was to declare that

* *Life of Laud*, p. 185.

he had hitherto levied them not of right, but as a matter of expediency; but should this fail to satisfy the house, and it should be moved, "with any strength," that goods illegally seized from merchants who had refused payment of these impositions, be first restored to them, a breach should be avowed "upon just cause given, and not sought by the king." So in other points: should the commons attack the memory of the duke, or accuse the king's ministers upon common fame, or charge them with giving evil counsels to his majesty; or "handle questions touching religion, proper for his majesty and a convocation to determine, or raise objections against his majesty's speech the last day of the last session, as trenching upon the liberty of the subject, in these and the like cases," should the government members fail in their utmost efforts to persuade a good agreement between his majesty and the parliament, and the house should "draw towards a resolution" upon any of these particulars, "that the members who were privy councillors should intimate that these debates would not be allowed of, and would tend to a breach, and that the king should thereupon declare "that he will not suffer such irregular courses of proceeding."* In other words, the king was to begin with taking a moderate tone, but upon the least opposition, was rather to recur again to an abrupt dissolution than depart from his arbitrary pretensions or illegal practices.

The parliament met; their first inquiry was, whether the petition of right, with the royal assent, had been duly enrolled according to his promise? It was discovered on search that the act was indeed enrolled, but with the king's first evasive answer, in place of his legal assent, and that his majesty's speech on the last day of the session, by which its provisions were all invalidated, had also been appended. The king's printer being summoned and examined, pleaded his majesty's own commands through the attorney-general for the suppression of one edition which had been printed with the second answer, and for the addition complained of. Roused by this disclosure of royal perfidy, the house next inquired into the actual violations of the fundamental rights asserted by this law which had been already perpetrated. Mention was now made of a command sent to the sheriff not to execute a replevin when goods and merchandise had been unlawfully taken from men who had refused tonnage

* Rushworth.

and poundage, and of the seizure in particular, of property belonging to a merchant named Rolls, a member of the house, to whom some officers of the customs had gone so far as to say : " If the whole parliament were in you, we would take your goods." A committee was immediately appointed which summoned the officers before it ; but the king interposed for their protection by avowing the act as performed under his own special direction.

Charles now thought it time to assemble the two houses at Whitehall, where he made the preconcerted declaration, that he had not taken these duties as appertaining to his hereditary prerogative ; and having thus, as he said, cleared the only scruple which could trouble them in this business, he required them to pass the bill for granting tonnage and poundage in the same manner as they had been held by his ancestors ; taking at the same time some merit to himself that he had not immediately resented their inquiry into the violent acts of his officers. " This," he added, " I have spoken to show you how slow I am to believe harshly of your proceedings, likewise to assure you, that the house's resolutions, not particular men's speeches, shall make me judge well or ill ; not doubting but according to my example you will be deaf to ill reports concerning me, till my words and actions speak for themselves, that so this sessions beginning with confidence towards one another, it may end with a perfect good understanding between us, which God grant."* This speech was immediately followed up by a royal message through secretary Cook, to hasten the bill, enforced by an intimation, " that moderation in their proceedings would be a great advantage to them." But the house, " being troubled to have the bill imposed upon them, which ought naturally to arise from themselves," resolved " to husband their time ;" and empowered their committee to examine further into violations of liberty and property since the last session, after which they were to proceed with matters of religion, and particularly against the sect of Arminians. Notwithstanding repeated interruptions by royal messages, Mr. Pym proceeded to offer to the consideration of the house, first, the impunity and encouragement granted to papists, and the violation of law by the introduction of popish and superstitious ceremonies into the church, particularly by Cozens bishop of Durham ; secondly, the doctrines inconsistent with the Ar-

* Rushworth, i 656.

ticles, introduced by Arminians. "Let us show," said he, "wherein these late opinions are contrary to those settled truths, and what men have been since preferred that have professed those heresies; what pardons they have had for false doctrine, what prohibiting of books and writings against their doctrine, and permitting of such books as have been for them: Let us inquire after the abettors. Let us inquire also after the pardons granted of late to some of these, and the presumption of some that dare preach the contrary to truth before his majesty. It belongs to the duty of parliament to establish true religion and punish false. Our parliaments have confirmed general councils. . . . For the convocation, it is but a provincial synod of the province of Canterbury, and cannot bind the whole kingdom. As for York, that is distant, and cannot do anything to bind us or the laws; for the High-commission, it was derived from parliament." Afterwards, sir John Eliot enlarged upon the danger of admitting, what had lately been asserted in a royal declaration, of which Laud was the author, the right of the bishops and clergy in convocation to decree all matters of outward regulation in the church, and determine controversies concerning the interpretation of the Articles, by which, he remarked, "popery and Arminianism may be introduced by them, and then it must be received by all."

The house, in testimony of its hostility to the new doctrine and still more perhaps to the assumed authority by which it was sought to establish it, now entered into a solemn vow, declaring its "adherence to the sense of the articles of religion settled in the 13th year of Elizabeth, delivered to them by the public act of the church of England, and by the general and concurrent expositions of the writers of the church;" and their rejection of the sense of the Jesuits and Arminians and all others, in as far as they differed from these. As a further manifestation of their religious sentiments, both houses concurred in petitioning his majesty to appoint a day of fasting on account of the distressed state of the protestant churches abroad. Charles bluntly replied, that fighting would do them more good than fasting, yet he did not wholly disallow of the other; that he would now grant their request, though he did not perceive the necessity of it, and would not have it drawn into a precedent for frequent fasts, except on great occasions. This language was doubtless intended to intimate to parliament, that religious concerns should be left to the care of the king and his bishops. The parliament, on

the other hand, offered him a declaration, intended to show the expediency of giving religion the precedency of all other affairs ; but with this his majesty's answer showed him much displeased. Nevertheless, the house, having already represented to the king, that his frequent messages were a hindrance to their business, and often a violation of their privileges, went on in its own course.

The barons of the exchequer had been wrought upon to give a judgment for the Crown against the merchants who had refused tonnage and poundage, and in consequence they had suffered new oppressions, which now became the subject of discussion. Mr. Rolls stated that since his last complaint his warehouse had been locked up by a pursuivant, and that he himself was called out from a committee and served with a *subpœna* to appear in the star-chamber. Smart debates ensued ; it was voted that a breach of privilege had been committed, and the officer who had carried the *subpœna* was called up. The attorney-general had apologized for the act as a mistake, but it was now proved before the house that he had himself directed the process, and that in the bill before the exchequer the merchants were said to plot, practise and combine against the peace of the kingdom. Several other merchants presented petitions complaining of the seizure of their goods, and of informations laid against them in the star-chamber ; and the committee inclined to require restitution to be made to them before there should be any proceeding in the bill for tonnage and poundage ; Mr. Noy in particular thus expressing himself : We cannot give unless we be in possession and the proceedings in the exchequer nullified ; as also the informations in the star-chamber, and the annexation to the petition of right ; for it will not be a gift, but a confirmation ; neither will I give without the removal of these interruptions, and a declaration in the bill that the king hath no right but by our free gift ; if it will not be accepted as it is fit for us to give, we cannot help it ; if it be the king's already, we do not give it."*

As a step towards restoring the due course of justice, the sheriff of London was committed to the Tower for refusing to replevin seized goods, and the barons of the exchequer were sent for and required to make void their order concerning the detention of merchandise ; and on their returning an answer by which they showed themselves more inclined to

* Rushworth, i. 666.

persist in a decision which they yet dared not affirm to be legal, than to offer satisfaction for it, a motion was made to take their conduct into consideration, and to inquire whether there was any precedent for it. Some farmers of the customs were also called in question for their delinquency in the affair of Mr. Rolls, whose only plea of defence was, ignorance of the privileges of parliament; but as the house were about to pass sentence upon them, secretary Cook notified from his majesty that all they had done was by his direction, so that his act could not be severed from theirs, nor punished without his great dishonor. Hereupon the house adjourned in high indignation.

On resuming, a report of the committee of religion was received concerning the pardons granted to Montague and other obnoxious divines, of which Neil bishop of Winchester was found to have been an active promoter. It was this debate which first introduced into parliamentary history the name of Oliver Cromwell; who represented the bishop as a countenancer of some who preached "flat popery," adding, "If these be the steps to church preferment, what are we to expect?"

A petition from the London printers and booksellers, complaining of the licensing of Arminian books and the restraining of those opposed to them by bishop Laud, who, with his chaplains, had engrossed the office of licensing; and also showing, that some of their number had been summoned by pursuivants for printing books against popery,—called up Selden; who observed that there was no law in England against the printing of any books, but only a decree in star-chamber; and he went on to recommend that a law should be made concerning printing; otherwise a man might be fined, imprisoned, and his goods taken from him by virtue of that decree, which was a great invasion of the liberty of the subject.*

An inquiry into the circumstances under which certain Romish priests and jesuits, after detection and apprehension, had been dismissed with impunity, supplied a fresh example of the king's contempt for the laws, and of the daring manner in which he authorized various public functionaries to plead his immediate authority and commands as a protection against the consequences of all irregular and arbitrary acts.

On March 2nd, the house having reassembled after an ad-

* Rushworth, i. 667.

jourment imposed upon them by the king's command, that distinguished patriot sir John Eliot addressed to them a speech containing the following passages: "The misfortunes we suffer are many; Arminianism undermines us; popery comes in upon us. They mask not in strange disguises, but expose themselves to the view of the world. In the search of these, we have fixed our eyes not on the actors, the jesuits and priests, but upon their masters, those who are in authority: You have some prelates who are their abettors; the great bishop of Winchester; we know what he hath done to favor them. This fear extends to some others; the lord-treasurer, in whose person all evil is contracted, both for the innovation of our religion, and the invasion of our liberties; he is a great enemy of the commonwealth. I have traced him in all his actions, and I find him building on the grounds laid by his master the great duke: he is secretly moving for this interruption. And from this fear they go about to break parliaments, lest parliaments should break them. I find him the head of all that party, the papists; and all the jesuits and priests derive from him their shelter and protection. And I protest, as I am a gentleman, if my fortune shall be ever again to meet in this honorable assembly, where I now leave, I shall begin again."*

By this threatened attack upon bishops and ministers of state, the bounds to parliamentary liberty secretly laid down by the king and his most confidential advisers were passed; and the Speaker rising, announced that he was the bearer of a royal message for adjournment. Eliot offered, notwithstanding, a remonstrance respecting tonnage and poundage; and it was contended by the popular party, that it was not the business of the Speaker, an officer of the house, to deliver such a message, and that properly, adjournment belonged not to the king, but to the house itself. Accordingly, it was again moved to put the remonstrance to the question; but the Speaker, pleading the royal command, refused. "Dare you not, Mr. Speaker," asked the illustrious Selden, "put the question when we command you? If you will not put it, we must sit still; thus we shall never be able to do any thing. They that come after you may say, they have the king's command not to do it. We sit here by the command of the king under the great seal; and you are by his majesty, sitting in his royal chair before both houses, appointed for our

* *Crew's Proceedings of Commons*, p. 145.

Speaker, and now you refuse to 'do your office.'* The Speaker, trembling, pleaded again his majesty's command that he should leave the chair after delivering his message; and he attempted to rise, but was held down by Mr. Hollis and Mr. Valentine: Strange confusion arose: sir Thomas Edmonds and other adherents of the court, struggled, but in vain, to set him free. He wept and supplicated, but still refused to obey the orders of the house: "I do not say I will not," he sobbed out, "I dare not. Do not command my ruin. I dare not sin against the command of my sovereign." Selden pleaded and argued with him, but to no purpose. Mr. Peter Hayman told him "he was sorry he was his kinsman, for that he was the disgrace of his country, and a blot upon a noble family; that all the inconveniences that should follow, yea, their destruction, should be derived to posterity as the issue of his baseness, by whom he should be remembered with scorn and disdain; and that he, for his part, since he would not do his duty, thought he should be called to the bar, and a new speaker chosen." But nothing could change the determination of the Speaker; and it was Hollis therefore who undertook to read, for the concurrence of the house, a protestation, that whoever introduced innovations in religion, and whoever advised the levy of tonnage and poundage without parliament, should be reputed a public enemy; and that all who submitted to these impositions should likewise be held enemies and betrayers of the liberties of England. Whilst these articles were preparing, which passed by acclamation, the king, hearing of the refusal of the commons to obey his command of adjournment, sent the gentleman usher of the house of lords to carry away the mace from the table; but he found the door locked against him. Charles, in fury, sent orders to the captain of the pensioners of the guard to force it open; but the house, having passed their protestation, prevented, by a voluntary adjournment, the meditated violence and the mischief which, at a time when all gentlemen wore weapons, could scarcely have failed to ensue. During the adjournment, the members principally concerned in these transactions, Hollis, Eliot, Valentine, Curriton, Selden, Hobart and a few others, received summonses to appear before the council; and the four first presented themselves, but refusing to answer out of parliament for any thing transacted in it, they were committed close prisoners to the Tow-

* Rushworth, i. 670.

er, and a proclamation was issued for the apprehension of the rest ; the studies of several amongst them being also sealed up.

On March 10th, 1629, the day to which the commons had adjourned, the king went in state to the house of lords, and without requiring the attendance of the lower house, dissolved the parliament with the following characteristic sentences.

“ My lords ; I never came here upon so unpleasant an occasion, it being the dissolution of a parliament ; therefore men may have some cause to wonder why I should not rather choose to do this by commission, it being a general maxim of kings to leave harsh commands to their ministers, themselves only executing pleasing things ; yet considering that justice as well consists in reward and praise of virtue as punishing of vice, I thought it necessary to come here to day, and declare to you and all the world, that it was merely the undutiful and seditious carriage in the lower house that hath made the dissolution of this parliament ; and you, my lords, are so far from being any causers of it, that I take as much comfort in your dutiful demeanor, as I am justly distasted with their proceedings : yet to avoid their mistakings, let me tell you that it is so far from me to adjudge all the house alike guilty, that I know there are many there as dutiful subjects as any in the world ; it being but some few vipers among them that did cast this mist of undutifulness over most of their eyes ; yet to say truth, there was a good number there that could not be infected with this contagion ; insomuch that some did express their duties in speaking, which was the general fault of the house the last day. To conclude, as these vipers must look for their reward of punishment, so you, my lords, must justly expect from me that favor and protection that a good king oweth to his loving and faithful nobility.”*

The parliament was then dissolved by proclamation.

The next step was, to ascertain how far the judges could be induced to lend themselves to the schemes of royal vengeance against the parliamentary leaders ; and towards the end of April, the attorney-general proposed to them the following questions. Whether any subject having received probable information of any treason or treacherous attempt against the king or state, ought not to make it known to the king or his commissioners, and whether his refusal to be examined, or to answer questions in such a case, be not a high

* Rushworth, i. 672.

contempt punishable in the star-chamber? Answer; That it is an offence punishable, provided it do not concern himself, and that his answering would bring him into danger.—Whether it were a good excuse or answer to say, that he received such information in parliament, being a parliament man, and that parliament being ended, he would answer such questions in no other place? This, the judges privately informed the attorney-general, was in the nature of a plea, and was not punishable till he were overruled in an orderly way to make another answer.—Whether or no a member of parliament committing an offence against the king and council not in a parliamentary way, might afterwards be punished for it? The judges here took a very subtile distinction;—for things done in a parliamentary way, they agreed that he could not be punished, but that he might, “where things are done exorbitantly, for those are not the acts of a court,” and parliament should not give privilege to any, contrary to the custom of parliament, to exceed the limits of his place and duty. To the question whether,—if one, or two, or three members only, should covertly conspire to raise false rumours and slanders against the lords of the council and judges, not with intent to question them in a legal course, but in order to bring them into hatred of the people, and the government into contempt, that were punishable in the star-chamber after the parliament was ended? They answered, that it was “an offence exorbitant,” and beyond the duty of a parliament man.—To the question, Whether if a parliament man should say, by way of digression, that the council and judges agreed to trample upon the liberty of the subject, and the privileges of parliament,—words uttered by sir John Eliot,—it were punishable? They declined to answer, because it concerned themselves.*

The judges appear to have advised the attorney-general to proceed against the prisoners not in the star-chamber, where they could have no counsel, but in the court of king's bench, where a less iniquitous form of trial prevailed. In fact, though these magistrates wanted the virtue to declare the law boldly and plainly, at the hazard of the king's displeasure and its heavy consequences, they painfully felt both the disgrace and the danger which they incurred by being thus compelled to exhibit themselves to the whole nation in the character of counsel for the crown against the liberties of the people.

* Rushworth, i. 673.

"My father," says the son of judge Whitelock, "did often and highly complain against this way of sending to the judges for their opinions beforehand ; and said that if bishop Laud went on in this way, he would kindle a flame in the nation."*

The prisoners having moved for their *habeas corpus*, the judges, "somewhat perplexed," "wrote an humble and stout letter to the king, that by their oaths they were to bail the prisoners ; but thought fit, before they did it, or published their opinions therein, to inform his majesty thereof, and humbly to advise him, as had been done by his noble progenitors in like case, to send a direction to the judges of his bench to bail the prisoners."† But so little was his majesty inclined to grant to these patriot leaders their undoubted right, even under the guise of a favor, that having ordered the judges of the king's bench to attend him at Greenwich, he expressed his displeasure at their determination, and commanded them not to proceed without a reference to the rest of the twelve : These, thinking fit to hold consultations and hear arguments on the case, the business was delayed till the end of the term, when, the court of king's bench being at length ready to deliver its judgment, his majesty caused the prisoners to be removed from other places of confinement to the Tower, and having by this base device prevented them from making their personal appearance, without which the court refused to bail them, they were detained in close custody during the whole of the long vacation. By a letter to the judges under his own hand, Charles assigned as the cause of this fresh rigor, the "having heard how most of them, a while since, did carry themselves insolently and unmannerly, both towards us and towards your lordships," and an unwillingness to "afford them favor till we should find their temper and discretions to be such as may deserve it." It was however promised in this letter that Selden and Valentine should, out of respect to the court, be permitted to appear ; but a second letter three hours after, retracted the concession, on more mature deliberation, and joined them with their brother-confessors.‡

At the opening of Michaelmas term, the prisoners having been already thirty weeks in close custody, denied the sight of their nearest friends, and the use of books and pen and ink, the king sent for chief-justice Hyde and judge Whitelock to Hampton Court, and declared himself contented that they should be bailed, notwithstanding their obstinacy in refusing

* Whitelock's *Memorials*, p. 13. † *Ibid.* p. 14. ‡ Rushworth, i. 690, 691.

to present a petition declaring their sorrow to have offended him. He also seemed to acquiesce in their judgment, "though it was not to his mind," that by law the offence was *not capital* and the prisoners ought to be bailed. "He would never," he said, "be offended with his judges, so that they did not speak oracles, or riddles," and they both used their endeavors to persuade him "to heal this breach." The next day the sufferers were informed that their bail would be taken, on their giving security for good behaviour. Selden, for himself and the rest, refused to comply with this condition, now first propounded, as a thing unreasonable and irregular, and one to which they could not submit without great offence to the parliament. On this, they were all remanded to the Tower. Soon after, the subserviency of the judges having been sufficiently ascertained, the attorney-general stopped proceedings in the star-chamber, and exhibited informations against them in the king's bench, but to these, as having reference to things done in parliament, they refused to plead before an inferior tribunal; the court, however, by what must be styled a deliberate act of usurpation, decided in favor of its own jurisdiction; sentenced them all, on a *nihil dicit*, to imprisonment during the king's pleasure, and fined three of them severely.

The check of a popular representation being, as it was hoped, permanently removed, the vengeance of the court now fell also with an overwhelming weight on the unfortunate merchants who had rendered themselves obnoxious by their resistance to the payment of tonnage and poundage. Alderman Chambers, one of the principal among them, after undergoing seizure of his goods and various other oppressions from the inferior officers of the customs, had been at length summoned to a hearing before the privy council: in the course of his examination, a sense of intolerable injury moved him to exclaim, "that in no part of the world were merchants so screwed up as in England,—in Turkey they had more encouragement." And for this speech, which though uttered only to the council, and not divulged among the people, was yet accounted libellous, he was brought before the star-chamber and unanimously sentenced to a fine which the principal members of the administration, and especially bishops Laud and Neil, would have carried as high as 3000*l.*; whilst smaller sums, down to 500*l.*, were proposed by others; but it was finally fixed at no less than 2000*l.* By the votes of all excepting the two chief justices, he was further requir-

ed to sign a humble submission, acknowledging his fault ; but to this paper he had the spirit to subscribe, that he did “utterly abhor and detest the contents as most unjust and false.” His fine was immediately estreated ; and for not submitting himself to his sentence, atrociously iniquitous as it was, he suffered six years imprisonment, to the utter ruin of his fortunes.

By these examples, every kind of irregular and arbitrary jurisdiction in the kingdom was emboldened to attempt fresh encroachments ; but they were not allowed by the sufferers to pass unquestioned, and in a variety of different forms one great question was brought to issue : Whether or not the salutary rule of law should be swallowed up and lost in the exceptions of prerogative ?

Philip earl of Montgomery, a weak and choleric nobleman, took upon him, in his office of lord-chamberlain, to commit one Atkinson, for having sued, without his permission, a servant of the king’s ; and after his liberation by *habeas corpus* he committed him again ; “in contempt of the court and admiration of all wise men.” Three of the judges, uninfluenced by the refusal of chief-justice Hyde, gave a warrant for a new *habeas corpus* in this case, “but before the return of it, the lord chamberlain, upon wiser thoughts, discharged Atkinson from prison.”*

Huntley, a clergyman in Kent, having failed to preach at a visitation, though required so to do, first by his archdeacon and afterwards by letters from the archbishop, was for these contempts summoned before the high commission, heavily fined, and thrown into jail. After long confinement, he sued out his *habeas corpus*, and the cause of his committal being returned, “default in his canonical obedience,” he was delivered by the judges ; because this offence was only punishable by the ecclesiastical censures of the ordinary, and not by the high commission, nor by fine and imprisonment. On this, Huntley brought his action of false imprisonment against the jailor and several of the commissioners by name, and the court of king’s bench decided that two of the commissioners should give bond to answer the charge. But the archbishop, with whom the wrong, or error, had originated, prevailed on the king, by the interposition of Laud, to send to the judges to stay proceedings. After consulting together, the judges informed the lord keeper and the bishop, that

* Whitelock, p. 13.

an indefinite delay of justice between party and party was contrary to law and their oaths. The high commissioners, alarmed with reason at the extent of the legal responsibility to which they might thus become exposed, sought shelter, as usual, behind the throne ; and Charles was induced to summon the judges before him, and in presence of the lord keeper and others to lay his absolute command upon them, "not to put the defendants to answer." They "stoutly" replied, "that they could not without breach of their oaths perform that command ; and so they parted in displeasure." The affair was then brought before the council, and after a long and warm debate, the honorable perseverance of the judges gained its end, and it was determined that the commissioners should be held responsible for unwarrantable exertions of the dangerous authority entrusted to them.

Sir Henry Martyn, judge of the admiralty, complained to the king of the judges for granting prohibitions against the proceedings of his court ; and in this instance also they "mannerly and stoutly," in the royal presence, justified their proceedings as "according to law, and as their oaths bound them."

But, deprived of the protection, or released from the control of parliaments, the sages of the law opposed by degrees less and less resistance to the advancing strides of arbitrary power : Eminent lawyers, such as Noy and Littleton, were gained over to the measures of the court ; no appeal to public opinion could be made through a press enchained by the licenser ;—and to the cries and struggles of assaulted Liberty succeeded a long trance of indignation or terror, which the satellites of power have applauded as submission and celebrated as felicity.

Meantime, the imprisoned members of parliament, with only a single exception, were generously earning the gratitude of their country by a persevering refusal to enter into the bond for good behaviour which would at any time have procured their immediate release ; regarding it as an evil precedent, a snare, and an injury to the rights and privileges of the English people. The consequences of this firmness to themselves were various. Selden's final release, after successive mitigations of his captivity, which at last rendered it little more than nominal, was effected, at the distance of two years and a half from his first committal, through the intercession of two noblemen, who pleaded that they required his professional services to conclude an important law-suit in

which he had formerly been consulted. Hollis, after twelve months' close custody in the tower, regained his liberty with difficulty. None were dismissed till after long and severe imprisonment, but, sooner or later, deliverance was granted to all, excepting Eliot, whom the monarch regarded with peculiar indignation as the ringleader;—a person of whose life, character, and sentiments, ample records have fortunately been preserved for the instruction of posterity.

John Eliot, only son of a gentleman of family and fortune, was born at his father's seat of Port Eliot in Cornwall in 1590, educated at Oxford and one of the inns of court, knighted by king James and elected to his last parliament and the first of Charles by the borough of Newport. In the second parliament of Charles he sat for St. Germain's, but having greatly distinguished himself in the house, was in the next returned for the county of Cornwall. At an early period of his life, the warmth of his temperament impelled him to an act of ferocity. In the midst of a dispute he drew his sword upon a gentleman his neighbor of the name of Moyle, and slightly wounded him. But on his repentance and acknowledgment he was forgiven, and the cordial friendship which subsisted between them ever after, speaks loudly in praise of both.*

On the parliamentary conduct of Eliot it is superfluous here to enlarge. That the strain of passionate eloquence

* The misrepresentations of this fact which have obtained currency induce me to subjoin an extract from an original letter on this subject now in my possession, written by a most respectable Cornish gentleman named Trehawke in the year 1767. "The fact, as related to me by Mr. Moyle's own daughter, stood thus—Sir John Eliot when young had been extravagant in his expenses, so that Mr. Moyle thought it friendly to acquaint his father with his son's conduct, and thus being represented to the young gentleman with some exaggerating circumstances, he hastily went to Mr. Moyle's house (two miles from his own). What words past, I know not, but sir John drew his sword and made a thrust at Mr. Moyle, but it being against his ribs, the hurt was slight. However, that being more than sir John knew, and there being no time for talking after what was done, sir John fled. On reflection, he soon detested the fact, and from thenceforward became as remarkable for his private deportment in every view of it as his public conduct. Mr. Moyle was so entirely reconciled to him that no person of his time held him in higher esteem. I have an original paper before me which I conceive refers to this transaction. It runs in these words. 'I do acknowledge to have done you a great injury, which I wish I had never done, and do desire you to remit it, and that all unkindness may be forgiven and forgotten between us, and henceforward I shall desire and deserve your love in all friendly offices, as I hope you will mine.' Subscribed J. Eliot, directed to Mr. Moyle without date, and signed in the presence of and attested by Grenvil and many other gentlemen."

Amongst the Eliot papers I have found a copy of this acknowledgment, and also some letters written during Eliot's imprisonment, which prove the friendship then existing between the parties.

which pervades his speeches flowed from the pure source of public virtue ;—in particular that the vehemence with which he, beyond all the rest, inveighed against the corruption of Buckingham, his malversation in his high office, and the arrogance with which he assumed upon the royal favor, was prompted by no private pique or private ends, many circumstances fully warrant us in concluding : The constant esteem in which he was held by the best men of his own party,—the unrelenting persecution exercised against him by the king,—the magnanimous firmness with which he refused to purchase his liberty, his health, his life, by base petitions and baser acknowledgments of fault where he was guiltless,—and above all, the noble, the calm and the pious strain of the letters which during his tedious captivity he addressed, sometimes by stealth, to the objects of his tenderest love and the sharers of his inmost thoughts. In these we behold the reflection of a mind of the first order in morals, combined with very considerable intellectual powers and accomplishments ; and as far as the intentions of a party are to be estimated by the principles and sentiments of one of its leaders, certainly they may be considered as forming an important document for the justification of the opposers of the court in the long parliament.

In a letter which Eliot contrived to address to his sons by stealth, at the end of four months of such close custody that, as he says, his feelings towards them could have “ no other expression than his prayers,” after some fatherly and religious exhortations to them, adverting to his own situation involved in a course of “ sufferings of which there is yet no end,”—he thus displays the temper of his soul, and the consolations of religion and philosophy by which it was sustained.

“..... Should these evils be complained ? Should I make lamentation of these crosses ? Should I conceive the worse of my condition that my adversities oppose me ? No, I may not ; (and yet I will not be so stoical as not to think them evils, I will not do that prejudice to virtue by detraction of her adversary ;) they are evils, so I do confess them, but of that nature, and so followed, so neighboring upon good, as they are no cause of sorrow but of joy : seeing whose enemies they make us : Enemies of fortune, enemies of the world, enemies of their children : And to know for whom we suffer ; for Him that is their enemy, for him that can command them, whose agents only and instruments they are to work his trials on us, which may render us more perfect

and acceptable to himself. Should these infuse a sorrow which are the true touches of His favor, and not affect us rather with higher apprehensions of our happiness? Amongst my many obligations to my God, which prove the infinity of his mercies, that like a full stream have been always flowing on me, there is none concerning this life wherein I have found more pleasure or advantage than in these trials and afflictions:—(nay, I may not limit it so narrowly within the confines of this life, which I hope shall extend much further;) the operations they have had, the new effects they work, the discoveries they make upon ourselves, upon others, upon all, showing the scope of our intentions, the sum of our endeavors, the strength of all our actions to be vanity. And how can it then but leave an impression upon our hearts that we are nearest unto happiness when we are furthest off from them, I mean the vain inventions of this world, the fruitless labors and endeavors that they move, from which nothing so faithfully delivers us as the crosses and afflictions that we meet; those mastering checks and contraventions that like torrents break all outward hopes? Nay, this speculation of the vanity of this world does not only show a happiness in those crosses by the exemption which we gain; but infers a further benefit in that nearer contemplation of ourselves: Of what we do consist, what original we had, to what end we were directed; and in this we see whose image is upon us, and where we do belong; what materials we are of; that, besides the body (which only is obnoxious to these troubles,) the better part of our composition is the soul, whose freedom is not subject to any authority without us, but depends wholly on the disposition of the Maker, who framed it for himself, and therefore gave it dispositions incompatible of all power and dominion but his own. This happiness I confess, in all the trials I have had, has never parted from me, (how great then is his favor by whose mercy I have enjoyed it?) the days have all seemed pleasant, nor night has once been tedious; no fears, no terrors have possessed me, but a constant peace and tranquillity of the mind, whose agitation has been chiefly in thanks and acknowledgments to Him, by whose grace I have subsisted, and shall yet I hope participate of his blessings upon you.

“I have the more enlarged myself in this that you might have a right view of the condition which I suffer, least from a bye relation, as through a perspective not truly representing, some false sense might be contracted,” &c.

(Dated Tower, July 8th, 1629.)

Amongst the friends of Eliot the most congenial and affectionate was Hampden. He performed much of the duty of a guardian, and expressed an affection almost paternal towards the sons of his incarcerated friend, and from the correspondence between them several interesting particulars of the state and treatment of the prisoner may be collected. The caution with which political subjects are touched, and often unequivocal expressions, prove that their letters were frequently exposed to inspection. Sometimes late or future visits of Hampden to the Tower are referred to, at other times this intercourse was interrupted. We know from different sources, that after a time the rigor of Eliot's confinement was somewhat mitigated, on account of the declining state of his health, and in one letter his friend says, "You enjoy as much as without contradiction you may, the liberty of a prison." The captive deceived the time with literary pursuits, sometimes with philosophical disquisitions, sometimes with a work on government, entitled the "Monarchy of Man," and all his manuscripts were duly submitted to the critical judgment of his accomplished friend. Books were supplied to him both by Hampden and by another of his correspondents, the learned Richard James, librarian to sir Robert Cotton. Sometimes reports of an approaching parliament would flatter himself and his friends with hopes of a near deliverance; at other times attempts were made to bend his spirit to submission by a renewal of severity. At Christmas 1631 he thus writes to Hampden.

"That I write not to you anything of intelligence, will be excused when I do let you know that I am under a ^{new} restraint, by warrant from the king, for a supposed abuse of liberty in admitting a free resort of visitants, and under that color holding consultations with my friends. My lodgings are removed, and I am now where candle-light may be suffered, but scarce fire. I hope you will think that this exchange of places makes not a change of minds. The same protector is still with me, and the same confidence, and these things can have end by Him that gives them being. None but my servants, hardly my sons, may have admittance to me. My friends I must desire for their own sakes to forbear coming to the Tower: you among them are chief, and have the first place in this intelligence. "

"I have now leisure, and shall dispose myself to business, therefore those loose papers which you had I would cast out of the way, being now returned again unto me. In your

next give me a word or two of note ; for those translations* you excepted at, you know we are blind towards ourselves, our friends must be our glasses, therefore in this I crave (what in all things I desire) the reflection of your judgment, and rest," &c.

(Tower, 26th December, 1631.)

In this state of cruel durance, shut up from the sight of children and friends, and deprived of common comforts, this martyr of patriotism patiently beheld his life brought to an untimely end. His last extant letter to Hampden, written in the following May, describes the state of bodily suffering and feebleness to which he had been brought by an illness of which *cold* was the original cause ; he was then hoping, with the self-flattery of the consumptive, to receive benefit by the air and exercise which he had begun to take. This could only have been however within the precincts of his prison ; further indulgence, as we learn, though not from his own pen, was denied, except on terms which his spirit to the last disdained.

The following letter of an unknown writer gives the concluding circumstances of his life.

"A gentleman not unknown to Sir Thomas Lucy, told me from my lord Cottington's mouth, that sir John Eliot's late manner of proceeding was this. He first presented a petition to his majesty by the hand of the lieutenant his keeper, to this effect :

" ' Sir, your judges have committed me to prison here in your Tower of London, where, by reason of the quality of the air, I am fallen into a dangerous disease. I humbly beseech your majesty you will command your judges to set me at liberty, that for recovery of my health I may take some fresh air,' &c. &c.

"Whereunto his majesty's answer was, it was not humble enough. Then sir John sent another petition by his own son to the effect following. ' Sir, I am heartily sorry I have displeased your majesty, and having so said, do humbly beseech you once again to set me at liberty, that when I have recovered my health, I may return back to my prison, there to undergo such punishment as God hath allotted unto me,' &c. &c. Upon this the lieutenant came and expostulated with him, saying it was proper to him, and common to none else, to do

* The word *translation* was at this time used in its Latin sense of metaphor, which is probably its meaning here. The style of Eliot was flowery.

that office of delivering petitions for his prisoners. And if sir John in a third petition would humble himself to his majesty in acknowledging his fault and craving pardon, he would willingly deliver it, and made no doubt but he should obtain his liberty. Unto this sir John's answer was ; ' I thank you, sir, for your friendly advice : but my spirits are grown feeble and faint, which when it shall please God to restore unto their former vigor, I will take it further into my consideration.' Sir John dying not long after, his son petitioned his majesty once more, he would be pleased to permit his body to be carried into Cornwall, there to be buried. Whereunto was answered at the foot of the petition : ' Let sir John Eliot's body be buried in the church of that parish where he died.' And so it was buried in the Tower."*

* Harl. MSS. 7000, fol. 186. as quoted by lord Nugent in his *Memorials of Hampden*.--The foregoing extracts from the correspondence of sir John Eliot are taken from the originals preserved in the Eliot family, for the loan of which I acknowledge with gratitude my obligations to the great liberality and kindness of viscount Eliot.

CHAPTER VIII.

1629. 1630.

Principal members of administration.—Lord treasurer.—Lord keeper.—Earl of Manchester.—Marquis of Hamilton.—Laud.—Wentworth.—Peace with France.—Treaty with Spain.—Rubens in England.—Banqueting-house.—Birth of a prince of Wales.—Interference of the French court.—Feelings of the puritans.—Death of the earl of Pembroke.—Laud chancellor of Oxford.—Marquis of Hamilton raises troops to join Gustavus-Adolphus.—Conduct of his agents.—His ill success and return.

THE death of Buckingham had left his master without a favorite and without a prime minister, and he gave him no full successors in either capacity. The haughty temper of Charles had caused him to repel with disdain the suggestion that he was *ruled* even by the duke, and henceforth he seems to have conceded to none but his queen that ascendancy which is founded on affection. Neither did his propensities lead him to devolve on any substitute the toils and cares of state. Habitually punctual and industrious, he willingly gave his time to the ordinary routine of public business ; fond of power, and jealous to excess of what he considered as popular encroachment, he was prompted by cogent motives to exercise a constant vigilance over every question or incident bearing a political aspect ; and with respect to the odium, or eventual danger which he might incur by taking upon himself the prime responsibility of the highly unconstitutional system of rule which he contemplated, he too much disdained the people, he too literally believed that “ the king’s name is a tower of strength,” to shrink back from it for a moment. The official persons therefore who at this time composed his council can be regarded in no other light than that of subordinate instruments ; yet it will be interesting even in this view to contemplate them more nearly ; since they had at least been selected by the chief artificer as tools peculiarly fitted to the work in hand.

The lord-treasurer Weston, now earl of Portland, had been one of the creatures of the mighty duke, but either some decided tokens of his unfitness for high place, or more probably, some personal causes of disgust, had so irritated his patron against him, that nothing, it was believed, but the event of his death could have prevented the speedy transference of the white staff to other hands. In fact, the capacity and attainments of this great officer exceeded in no degree the ordinary standard, and his moral qualities were of still baser alloy. His extraction and education were those of a private gentleman; after a residence at the Middle Temple and a course of foreign travel, he had entered among the retainers of the court; and it was not till after dissipating in his attendance there most of his own patrimony, and involving in securities with him such friends as were "willing to run his hopeful fortune,"* that he succeeded in obtaining some diplomatic employ. In this however he managed to give such satisfaction that he was admitted of the privy council, and lord Brooke, the "courtier of queen Elizabeth, the counselor of king James, and the friend of Philip Sidney," was persuaded, or compelled, to resign to him the office of chancellor of the exchequer. In this post he showed himself a competent man of business, whilst by the arts of a courtier, and especially by a dexterous conduct in parliament, calculated to serve his master without bringing upon himself the displeasure of the commons, he so ingratiated himself, as to be placed, a few months before the termination of the duke's career at the head of the treasury; a post less indeed the object of ambition at this time than usual, on account of the exhausted state of the exchequer, and the uncertain tenure by which all offices were held under the sway of venality or caprice: five ex-lord-treasurers being then alive. No sooner had the removal of his patron freed the lord-treasurer from the control which his subaltern nature required, than he began to exercise with insolence the authority which he had earned by obsequiousness; and openly aspiring to become the new dictator of the court and state, he succeeded so far as to share almost equally with Laud the obloquy which attached to the measures of government; but in other respects his pretensions encountered a speedy check. The king was evidently determined to be his own prime minister, and for that portion of authority which he was disposed to ac-

* Clarendon.

cord to his officers of state, the earl of Portland discovered that he had many and formidable competitors. With an unskilful imitation of the prosperous audacity of Buckingham, he affected to slight the queen ; opposed all who desired the increase of her influence, and "often crossed her pretences and desires with more rudeness than was natural to him."* At the same time, the inborn cowardice and meanness which the arrogance of his demeanor imperfectly disguised, would often lead him to inquire with anxiety what her majesty said of him in private, and when any of her sharp speeches were reported to him by his spies, he would either make complaint of them to the king, or seek by submissions and entreaties to obtain her forgiveness ; usually concluding the scene by betraying his informers. No one had more ambition to raise a family, and to leave a great fortune behind him, than the lord-treasurer, yet he suffered the expenses of his household to become so enormous, that in spite of "all the means he used for supply, which were all which occurred,"† he was constantly overburthened with debts, towards the discharge of which the king largely contributed at two different times. He obtained great donations also of crown-lands, which excited the more envy because it was peculiarly the duty of his office to oppose such alienations, and he in fact resisted with great rigor the pretensions of other men to similar favors, and was believed to restrain almost every exertion of the royal bounty towards them. It is to be observed however, that the king, now solely intent upon his plan of establishing his independence on parliaments, was bent on practising a strict economy, as the necessary means towards this end ; and his munificence was now seldom called into exercise.

Little beloved at court, the lord-treasurer was suspected and hated by the people, who believed him a secret votary of that obnoxious faith which was openly professed by the females of his family and his principal adherents ; Nor was this opinion unfounded, since it was in the Romish communion that he died a few years afterwards ; yet by the catholics themselves he was regarded rather in the light of a real enemy than a timid friend ; for never, it is said, were the penal laws, with the exception of those of a sanguinary nature, executed with greater strictness ; never did the crown derive so large a revenue from the compositions of recusants, never did they pay so dear for "the favors and indulgences of his office to-

* Clarendon.

† Ibid.

wards them." Here again however, it may be remarked, that every source of revenue had now become so important an object to Charles, that in all probability the mitigation of fines and penalties to the catholics was by no means left at the sole discretion of the treasurer.

Lord keeper Coventry, an enemy whom the earl of Portland had already made an unsuccessful effort to displace, is said to have been a sound lawyer and a man of sense and discretion ; although his hyperbolical representations of regal power and dignity in his harangues to parliament might serve in some measure to invalidate his claims to both parts of this character. "He knew," says lord Clarendon, "the temper and disposition and genius of the kingdom most exactly ; saw their spirits grow every day more sturdy, and inquisitive and impatient, and therefore naturally abhorred all innovations," (meaning all assumptions of prerogative,) "which he foresaw would produce ruinous effects. Yet many who stood at a distance thought he was not active and stout enough in the opposing those innovations. For though, by his place, he presided in all public councils, and was most sharpsighted in the consequence of things, yet he was seldom known to speak in matters of state, which, he well knew, were for the most part concluded before they were brought to that public agitation ; never in foreign affairs . . . nor indeed freely in any thing but what immediately and plainly concerned the justice of the kingdom, and in that, as much as he could, he procured references to the judges." It is added as an excuse for his raising no warning voice to save his sovereign from rushing blindly to destruction, that few persons were strongly attached to him or his interests ; and that knowing himself thus unprovided of friends either zealous or powerful at court, it was "no wonder, nor to be imputed to him, that he retired within himself as much as he could, and stood upon his defence without making desperate sallies against growing mischiefs, which he well knew he had no power to hinder, and which might probably begin in his own ruin." "His security," concludes the noble historian, "consisted very much in the little credit he had with the king."

The earl of Manchester, lord privy seal, grandson to that lord chief justice Montague who was one of the executors of Henry VIII., had himself borne the same high judicial office, and afterwards, for a short time, that of lord-treasurer. He still preserved his activity and his sagacity in business unimpaired by age ; but these qualities, as he employed them, tended

chiefly to the injury of his country and his own disgrace. "His honors," says Clarendon, "had grown upon him faster than his fortunes, which made him solicitous to advance the latter by all the ways that offered themselves; whereby he exposed himself to some inconveniences and many reproaches, and became less capable of serving the public by his counsels and authority." He was "too much used as a check upon the lord Coventry; and when the other perplexed their counsels and designs with inconvenient objections in law, his authority, who had trod the same paths, was still called upon; and he did too frequently gratify their unjustifiable designs and pretences; a guilt and mischief;" which, it is properly intimated, all men conscious of being themselves open to accusation, are liable to, and can scarcely escape.* Yet the sincere attachment to the protestant religion as by law established, and the loyalty and fidelity towards his prince of which he enjoyed the credit, preserved him for the present in good reputation both with the king and people, and it was his good fortune to close his career before the great and dreaded day of parliamentary inquisition arrived.

Other conspicuous members of the council were the earls of Arundel, Montgomery, Dorset, Holland, and Carlisle, all well-known official characters under the former reign, but belonging rather to the class of great nobles or courtiers, than that of statesmen; for the most part they were men fond of pleasure and expense; many of them involved in debt and consequently servile and rapacious; indifferent to public rights or public safety, and alone solicitous to secure their selfish ends by flattering the propensities of their master. But the projects of the king and the complexion of the times, demanded men of more daring minds and longer views, and the old councillors, with the single exception of Holland, who supported himself on the favor of the queen, were on the point of yielding to the ascendancy of that triumvirate through whom Charles administered for several years the affairs of his three kingdoms,—the marquis of Hamilton, Laud, and Wentworth.

James marquis of Hamilton and earl of Cambridge, a nobleman not very distantly related to the king, and high in the order of succession to the crown of Scotland, was born in that country in 1606, and there he received his education till his fourteenth year; at which period king James compelled his father to send for him to court and marry him to lady

* Clarendon, book I.

Mary Fielding, daughter of the earl of Denbigh and niece to Buckingham; after which the young heir was dismissed on his travels. On his return, king Charles gave him early admission to the council boards both of England and Scotland, and attached him to his court and person by the post of gentleman of the bedchamber. Afterwards he retired in some discontent to Scotland; but on the death of Buckingham was recalled and appointed master of the horse. His character even at this early period gave indications of the craftiness and spirit of intrigue by which he was distinguished in after life. "I must concur," says sir Philip Warwick, "in that general opinion that naturally he loved to gain his point rather by some serpentine winding than by a direct path." "He had a large proportion," adds the writer, "of his majesty's favor and confidence, and knew very well how to manage both, and to accompany the king in his hard chases of the stag, and in the toilsome pleasures of a racket: by which last he often filled his own and emptied his master's purse; and though he carried it very modestly and warily, yet he had a strong influence upon the greatest affairs at court, especially when they related unto his own country."*

Whether personal ambition or zeal for his order were the most actuating principle, or ruling passion of bishop Laud, would be a question more curious than profitable. It is certain, that in his successful struggles to establish himself in the favor and confidence, first of Buckingham and afterwards of the king, he had employed without scruple the deepest arts of men who seek advancement superior to their merits:—Observance, profession, and assiduous adulation towards the patron or the master; intrigue, circumvention, and the sly insinuations of an ever-watchful malice, against competitors or opponents; and towards dependents, those haughty menaces, mingled with tempting intimations of conditional favor, which are most effectual to extort base compliances, or prompt to acts of guilty boldness. At the same time it is not to be doubted, that he was even fanatically devoted to the grand design of restoring to the English church whatever of riches, of power, or of splendor it had lost by, or since, the reformation, and of reestablishing its independence on the civil power.

This design he deemed it meritorious to advance by all means, at all costs, and through all hazards.

In order to his spiritual ends, the bishop was tempted to

* *Memoirs of sir Philip Warwick.*

assume to himself a large and increasing share in the management of all the temporal affairs of the state ; and though his unfitness for the exercise of power became proportionally conspicuous, it was cheerfully conceded to him by a master partial alike to the man and to his order. But the ministers and courtiers viewed his encroachments with other eyes. Their attachment was to the Crown, the sole fountain to them of honors and emoluments ; and they were quick to infer from the temper of the people, that the church, in the advancement of its new pretensions, was likely to need more support than it would be able to requite. In the bishops and court chaplains who had exhibited themselves so conspicuously as the devoted satellites of absolute power, they beheld competitors rather than auxiliaries,—in Laud himself they found an importunate pedagogue, and often a stern and inflexible opponent. Haughty, fond of the exercise of authority, and severe in his own manners, he was little indulgent to the frailties of the young and the gay. Conscious of his own pecuniary integrity, he found small temptation as a minister, to conciliate friends or gratify dependents by a compliance with the corrupt and mercenary propensities of others ; on the contrary, his zeal for the king and the cause, often prompted him to institute strict inquiry after any malversations by which the exchequer would be the loser ; and this scrutiny he even extended into the collection of the most oppressive and illegal taxations, in levying which men expected to be remunerated not for their labor alone, but for the odium, the guilt and the danger. To suitors generally he was harsh and unpropitious ; but to the members of his own profession, when perfectly conformable and sufficiently humble, he could show himself not only a munificent, but a benign and gracious patron ; and in the society of a chosen few, he was capable of unbending even to mirthfulness.

Wentworth, perhaps alone amongst the lay advisers of the king, was closely united with Laud, and cordially promoted his designs for the aggrandizement of the church ; but less, perhaps, from a reverence for ecclesiastical authority abstractedly considered, than from opposition to the puritans, whom, as the great supporters of the constitutional cause which he had publicly abandoned, he hated and pursued with the inveteracy of an apostate. The character of this eminent statesman was one so strongly drawn by the hand of nature, that all the portraitures of it, whether by the hand of friend or foe, offer the same grand lines ; it is in the tone of color-

ing only that they vary. It has been thus delineated by one who loved his cause better than his person. . . . "He was every way qualified for business; his natural faculties being very strong and pregnant; his understanding, aided by a good fancy, made him quick in discerning the nature of any business; and through a cold brain he became deliberate, and of a sound judgment. His memory was great, and he made it greater by confiding in it. His elocution was very fluent, and it was a great part of his talent readily to reply and freely to harangue upon any subject. And all this was lodged in a sour and haughty temper; so as it may probably be believed he expected to have more observance paid to him than he was willing to pay to others, though they were of his own quality; and then he was not like to conciliate the good-will of men of the lesser station.

"His acquired parts, both in university and inns of court learning, as likewise in his foreign travels, made him an eminent man before he was a conspicuous; so as when he came to show himself first in public affairs, which was in the house of commons, he was soon a bell-wether in that flock. As he had these parts, he knew how to set a price on them, if not overvalue them: and he too soon discovered a roughness in his nature, which a man no more obliged by him than I was, would have called an injustice. . . . In his person he was of a tall stature, but stooped much in the neck. His countenance was cloudy whilst he moved or sat thinking; but when he spake, either seriously or facetiously, he had a light-some and a very pleasant air: and indeed, whatever he then did, he performed very gracefully."* To this we may add, that his natural pride and self-consequence had been fostered by coming early to the possession of a great patrimonial estate, with which there had devolved upon him the charge of a numerous family of brothers and sisters, over whom he appears to have assumed all the authority of a lord and patron. He also valued himself on an ancient lineage, embellished, as he regarded it, by a spurious descent from the Plantagenets through Margaret Countess of Richmond, which he had caused to be ostentaciously set forth in his patent of nobility. To gain a predominating influence in his own county, and especially to humiliate his neighbor and sworn enemy, Lord Savile, were doubtless the primary objects of the intrigues which he had long been weaving at the court. These ends he had fully attained about

* Warwick's *Memoirs*, pp. 109, 112.

the close of the year 1628, when his advancement to the rank of viscount had restored to him the precedence which he had lost by the prior elevation of Savile to the baronage ; and when he had further succeeded in stripping him of the office of *custos rotulorum* for Yorkshire, which they had borne alternately, and had sent him home from court a disgraced and almost broken-hearted man. But ambition is as little to be satiated with a first success, as quelled by a single failure. Wentworth, as a privy councillor, had been called upon to assist his majesty by the suggestion of expedients for the establishment of his new plan of government ; and when, in December 1628, he repaired to York to be pompously installed in his high office of president of the council of the North, it was with the purpose of rendering himself meritorious with his master by the organization of a complete system of arbitrary government over the five northern counties, which might serve as a large experiment upon the passive endurance of the English people, and if successful, as a grand precedent for the obedience of the rest of the kingdom. A brief notice of the history and constitution of the court in which he was called to preside, will serve to illustrate this part of his policy.

The court of the North was instituted by Henry VIII. in the 31st year of his reign, for the purpose chiefly of suppressing the tumults in those parts arising out of the abolition of the smaller monasteries. The original commission, addressed to the bishop of Llandaff and others, was no more than an ordinary one of *oyer and terminer*, except that it ended with a captious and dangerous clause empowering the commissioners to hear and decide all causes, real or personal, between parties who, through poverty, should be unable to obtain justice by ordinary means. Yet not only was this clause, conferring an equity jurisdiction, held to be illegal, but even the whole commission ; because it took certain counties permanently out of the jurisdiction of the courts at Westminster : no complaints however appear to have been made for many years, partly because the minds of men were otherwise occupied, and partly, it is probable, because the proceedings of the court were lenient and discreet. Under Elizabeth, an attachment was granted against the archbishop of York then president, for prohibiting the jailer at York from delivering a prisoner who had sued out his *habeas corpus* in the king's bench ; and the last clause of the commission was then solemnly declared illegal. Yet James on his accession renewed this commission, and in his 7th year he was guilty of granting

a new one in which, by an enormous stride of usurpation, the court was directed to determine causes, not, as before, "by the oaths of twelve good men and true," and "according to the laws of England," but according to instructions sent them which were kept secret.* Wentworth's commission, as at first granted, far exceeded in its powers all former ones; yet he twice afterwards applied for an extension of his authority, and with success. Some of its more important clauses were the following :

The lord president, or in his absence the vice-president assisted by two of the council, was authorized to take cognisance of all felonies, and commit for them till the prisoners should be either "lawfully, or by *sufficient* warrant and authority, delivered." They were armed with full powers to pursue recusants and all other religious delinquents in the manner of the high-commission : To punish all riots and every other misdemeanor with fine and imprisonment according to their "discretion" and according to the laws and ordinances : To punish perjury, provided it were not with *less* severity than was authorized by the statute : To punish at discretion, by fine and imprisonment, all libels, excepting such as appeared dangerous to the state, on which they were to report to the privy council : To exercise an equity jurisdiction in matters of property both real and personal : To decide personal actions on the same principle : To make inquiry of wrongful inclosures, and punish *rich* offenders : To summon and instruct justices of the peace : To enforce obedience to their own proclamations, and punish contempts of the authority of the court.

By these and other provisions, this awful tribunal was enabled to unite the powers of the court of chancery, the star-chamber, and in effect, of the high-commission and ecclesiastical courts likewise, with the jurisdiction of the courts of common law ; and this authority it might also exercise without the intervention of a jury, and with the substitution of discretionary punishments for those awarded by the laws ; and the spirit in which this discretion was designed to be exercised, was thus unequivocally proclaimed in the conclusion of the commission itself : "And whereas we perceive that mildness and favor doth much bolden the evil-disposed, we earnestly require the said lord president and whole council for some convenient season from henceforth, to use severity

* Rushworth, ii. p. 162. *et seq.*

against notable offenders; and to punish them without any long delay, not only by pain of body and imprisonment, but also by good fines and amerciaments, so as the opinion and reputation of severity may work that by force which is, and hath long been seen, will not be obtained by favor and gentleness.”*

When we reflect that he who had solicited and obtained this commission, extending in every direction the discretionary power of a court in itself illegally established, had been once an undaunted confessor in the cause of English liberty, —afterwards, an able, bold, and sagacious assertor of the laws and constitution, and that he was at this time a sworn and responsible adviser of the very king from whom the petition of right had been extorted,—we stand confounded at the political prostitution of the minister, the faithlessness of the prince, and the audacity of both. But in order to carry into effect the “new measures” which had been resolved upon, these preliminaries were indispensable;—to stifle by means of severe chastisements the expression of public discontent; to coerce the puritans and squeeze the catholics; to recruit the exchequer by oppressive fines and confiscations levied under pretext of law or prerogative; and above all, to enforce the general payment of taxes laid by the king’s sole authority. And to objects like these the vulgar-minded ambition of Wentworth, seconded by his inborn love of domineering, lent itself rather with cheerfulness and alacrity than with any show of scruple or hesitation.

By the financial expedients just intimated, Charles flattered himself that the expenses of his court and government during a state of peace might permanently be defrayed; but the supplies of war could only be furnished, he was well aware, by the aid of parliament. He therefore found it necessary to listen to the advice of his council, who now unanimously concurred in recommending negotiations both with France and Spain. Since the king of England was content to leave the French protestants without stipulation to the mercy of their sovereign, there was nothing to impede an amicable arrangement with that court, which was concluded, by the mediation of Venice, in April 1629. The treaty with Spain was not actually signed till November 1630, though all military operations had ceased; and so long before as the November of the preceding year, Cottington had been sent am-

* Rymer. *Fœdera*. Date Dec. 15, 1629.

bassador to Madrid ; “maugre the French ambassador,” says a letter of that time, “who with all the strength he had, opposed his journey, and used the queen’s assistance therein : so that when sir Francis Cottington came to take his leave of her, and to know what service her majesty would please to command him, to her sister, answered as I told you in my last [that she would have nothing to do with Spain, nor with any person there.] And when she could not prevail with his majesty to cross the ambassage, she shed tears in anger.”*

We have here perhaps the earliest instance on record of the open interference of Henrietta in affairs of state, and it seems that she had not yet learned the art of making this interference effective. The only additional circumstance of any interest connected with this lingering negotiation is, that the first overtures passed through the hands of sir Balthasar Gerbier of Antwerp, a painter and sculptor long in the service of Buckingham and knighted by his means, and that its further progress was entrusted to Rubens, and the occasion of that visit to England of which his pencil has left a celebrated and enduring memoria. This illustrious painter after three years spent in adorning the Luxembourg, according to a lively writer, with “the ostensible history” of the life of Mary de’ Medici, “had returned to Antwerp, where his various talents were so conspicuous, that he was pitched upon to negotiate a treaty of peace between Spain and England. The infanta Isabella sent him to Madrid for instructions, where he ingratiated himself so much with the conde-duc d’Olivarez, that besides many valuable presents he had a brevet for himself and his son of secretary of the privy council, and was dismissed with a secret commission to king Charles, in which he had the honor of succeeding.”†

Delighted with the opportunity of employing such talents more appropriately in the art he loved, Charles engaged the ambassador, for the sum of 3,000*l.*, to paint the ceiling of the Banqueting-house, the beautiful work of Inigo Jones. The subject chosen was the strange one of the apotheosis of king James ; and thus the painting was contrived in some degree to supply the place of the royal monument proposed, but never carried into execution.

On the 29th of May 1630, the queen gave birth to a prince of Wales, afterwards Charles II. In the preceding year she had brought forth a son who had lived just long enough to oc-

* Ellis, vol. iii. p. 284.

† Lord Orford’s *Anecdotes of Painting*.

casion a vigorous effort on the part of her household priests to secure to themselves the performance of the rite of baptism ; and it is said to have been only by great vigilance on the protestant side that this *popish plot* was disconcerted. It does not appear that this attempt was repeated on the birth of the second child ; but the French court seized the opportunity to renew its busy interference with the appointments of the royal household. " Earnest instance " was made that a bishop and a physician might be sent over to the queen ; and notwithstanding " his majesty's express pleasure to the contrary," declared to the marquis de Chateauneuf in England, and by sir Thomas Edmonds in France, the physician was actually sent by the queen-mother, addressed to the French ambassador, and Henrietta was " persuaded in plain and clear terms to speak to the king to admit him as domestic." But Charles was resolute ; and the intruder was informed that " he might return as he was come, with intimation he should do it speedily."* By ancient privilege the archbishops of Canterbury are ordinaries of the royal household, wherever it may be, and entitled to perform all rights of the church for the members of the royal family ; but Abbot being, according to the expression of Heylyn, " at that time infirm, or otherwise of no desirable company," the office of baptism devolved on Laud, as dean of the chapel. Williams was likewise excluded from the general invitation given to the bishops to assist at the ceremony. He avenged the slight by remarking, that if present he could not have joined in the prayer composed by Laud on the occasion and recommended to all parish-churches, in which was the petition ; " Double his father's graces, O Lord, upon him, *if it be possible !*" which he justly stigmatized, though with some forgetfulness of his own former excesses of a like nature, as " three-piled flattery and loathsome divinity."†

Some remarkable indications of the feelings of the puritans on this joyful event to the royal family, are supplied by the biographer of Laud. " One of their leading men scrupled not to observe at an entertainment, whilst others were expressing their satisfaction, that he saw no great cause of joy in it ; for that God had already better provided for us than we had deserved, in giving such a hopeful progeny by the queen of Bohemia, brought up in the reformed religion, whereas it was uncertain what religion the king's children would fol-

* Ellis, 2d series, vol. iii. p. 260.

† *Life of Williams*, part ii. p. 96.

low, being to be brought up under a mother so devoted to the church of Rome." A memorable and prophetic judgment ! "And I remember," adds the writer, "that being at a town in Gloucestershire when the news came of the prince's birth, there was great joy showed by all the rest of the parish, in causing bonfires to be made, and the bells to be rung, and sending victuals unto those of the younger sort, who were most busily employed in the public joy ; but so that from the rest of the houses, being of the presbyterian or puritan party, there came neither man nor child, nor wood nor victuals ; their doors being shut close all the evening as in a time of general mourning and disconsolation."*

During this year William Herbert earl of Pembroke closed his mortal career. His death took place without previous illness on his fiftieth birth-day, according to a prediction, said to have been made to him several years before, but whether by Allen, a celebrated mathematician of Oxford, by Sandford his tutor, or by the noted prophetess lady Davies, authors, as usual in the circumstances of a marvellous story, are divided. This peer is confessed to have disgraced himself by the extreme of prodigality, and by excess of every kind ; but his splendid manner of living, his bounty, his elegant accomplishments, and above all, his manly and disinterested spirit, the lofty contempt which he had displayed for all the royal favorites of his time, and his steady attachment to the constitution, had rendered him perhaps the most popular of English noblemen. He was fond of poetry, and composed verse, but of no high order ; a whole volume written by him in praise of Christian countess of Devon, was published by Dr. Donne with a dedication to herself. As a patron of letters, the merits of the earl were more eminent. Posterity will account it the highest of his honors to have received, in conjunction with his brother, the dedication of the first edition of the collected works of Shakespeare ; offered by his humble executors to the "noble pair" with what they style, "a kind of religious address," yet not without some intimations of a due sense of the inestimable value of what they presented.

The death of Pembroke left vacant the office of chancellor of the university of Oxford, which he had sustained with dignity and applause ; and no sooner was his death announced, than the adherents of bishop Laud, eager to flatter his ambi-

* *Cyprianus Anglicanus*, p. 198.

tion, and anxious to anticipate an intended opposition, met in haste, and elected that prelate his successor.

Gustavus Adolphus king of Sweden was at this time in the midst of his splendid career of victory and conquest, and sanguine hopes were entertained of the restoration of the exiled palatine by the arms of this protestant hero, in conjunction with his German allies. The English people took a warm interest in the cause, and some zealous partisans industriously raised the report, that a parliament would be summoned to grant the king supplies for joining in the enterprise. But Charles feared to commit himself by any decided steps ; and pursuing the futile policy of his father, he continued to profess his expectation of effecting the same object through the friendly mediation of Spain with the emperor. The marquis of Hamilton however, by means of the strong personal influence which he enjoyed with his master, succeeded in obtaining from him in secret the sum of 100,000*l.*, with permission to enlist 6,000 men, half English and half Scotch, and lead them to the assistance of the king of Sweden. The clandestine nature of this transaction conspired with the opinion commonly entertained of the dark and designing nature of Hamilton, to excite strange expectations or suspicions. Meldrum and Ramsey, two countrymen of his own whom he had sent as his agents and precursors into Germany, hazarded some disloyal expressions against the person and government of their sovereign, and lord Rea, a man of honor, returning to the English court from the camp of Gustavus, repeated expressions employed to himself by Ramsey tending to engage him in some plot for seating the marquis on the throne of Scotland. Ramsey denied the words, and demanded a judicial combat for vindication of his honour ; to this the king at first consented ; but after great preparations made, the combat was forbidden and the inquiry finally quashed. During the whole of these proceedings Charles strikingly displayed his unshaken confidence in the loyalty of his kinsman and friend by lodging him, often singly, in his own bedchamber. No sooner was the investigation ended, than Hamilton embarked for Elsinore, and joined the army of Gustavus in Silesia ; but either from his own unskilfulness in the duties of a commander, or from a want of due cooperation, his troops were suffered to waste the summer without achieving or attempting any enterprise of moment. Their ranks were quickly thinned by famine and sickness, and after seeing them dwindle to two slender regiments, their commander left them

to the disposal of their colonels and returned himself to court. The mortification of the failure must have been to the king a severe one ; but he manifested his equanimity, and perhaps his justice also, by receiving the unsuccessful leader into his accustomed place of trust and favor.

CHAPTER IX.

1630 to 1632.

Court intrigues.—Growing influence of the queen.—She founds a capuchin church,—Acts in a pastoral.—Pryn's Histriomastix.—Leighton sentenced for libel.—Instructions to the bishops.—Domestic worship impeded.—Laud's consecration of churches.—Society for buying impropriations condemned.—Reedification of St. Paul's commenced.—Illegal and oppressive modes of raising money for this purpose.—Results of the undertaking.—Laud speaks in public against a married clergy,—Seems to retract,—Celebrates marriage with new rites,—Obtains offices for Windebank and Juxon,—Seizes upon church-patronage,—Disposes of bishoprics at his pleasure,—Lays a fine upon printers of the bible,—Causes Sherfield to be punished for destroying an idolatrous picture.—Remarks.—Notice of sir Robert Cotton.—Proposed visit of Mary de' Medici.—Queen of Bohemia declines visiting England.

FROM the period of Buckingham's death, Henrietta, freed from the rivalry of a favorite, had been silently occupied in spreading the network of her intrigues over the whole court, which she aspired to rule. She now began to operate more openly. By her power, Henry Jermyn, already, as it seems, her favored lover, was supported, against the judgment of the king himself, in refusing the reparation of marriage to a maid of honor of the house of Villiers, whom he had seduced. There is some reason to believe that the noted division of the court into king's side and queen's side arose out of the factions to which this affair of gallantry gave birth. The wily Hamilton, whose influence with the king was second to none, having, as we are told, obtained indubitable proof of the queen's intimacy with Jermyn, and thus enabled himself to make his own terms with her, from her enemy, became her ally.* Partly, it is probable, by his aid, partly by her own

* For the proofs on which I have ventured to give the particulars of this very curious piece of secret history, compare the mysterious story told by Clarendon, in the beginning of his "Life," of his own introduction to the court and its intrigues, which his designed suppression of the name of Jermyn has rendered hitherto unintelligible, with a note of lord Dartmouth's in Bur-

arts and blandishments, she established an ascendancy over the spirit of her husband which went on augmenting to the end ; and even Laud and Wentworth, although jealous and repining, found themselves compelled on many occasions, to tolerate her interference, to promote her objects, and even to humble themselves so far as to sue for her favor.

Not so the puritan divines : with them Henrietta was still, and ever, an object of unmitigated abhorrence, and their hostility against her increased in exact proportion to the increase of what they regarded as her power of doing mischief. Bernard, a London lecturer, publicly prayed to the Lord to "open the queen's majesty's eyes, that she may see *Jesus Christ*, whom she has pierced with her infidelity, superstition, and idolatry ;"* expressions for which he was summoned before the high-commission, but on his humble submission dismissed. By another polemic, who neither sought nor found the same indulgence, Dr. Alexander Leighton, a Scotch divine but beneficed in England, in a rude and bigoted tract entitled, "An appeal to parliament, or Zion's plea against prelacy," she was stigmatized as an "idolatress," a "Canaanitess," a "daughter of Heth." It is possible however that even this degree of insolence towards the queen might likewise have met with remission, had not the author vehemently inveighed against the tyranny of the bishops, and exhorted the parliament and people to abolish episcopacy as an institution utterly antichristian. For these offences he was seized by pursuivants, who terrified his family and plundered his goods ; carried in the first instance to the episcopal palace of Laud, and then thrown into Newgate, where he was visited by the attorney-general, for the purpose of drawing from him, by artful questions mixed with offers of pardon, the names of those at whose instigation he had written. On his firm refusal to criminate his friends, he was proceeded against in the star-chamber, where the two chief justices did not scruple to assure him, that in their own courts they would have declared him guilty of high treason. His sentence was, to pay a fine of 10,000*l.* to be imprisoned for life, to stand twice in the pillory, and each time to be whipped, to have an ear cut off, a nostril slit, and a cheek branded. It is affirmed, that on the pronouncing of this judgment, Laud pulled off his cap, and

net's "Own Times," Oxford edit. 1923, vol. i. p. 63, and with *Strafford Letters*, vol. i. 174, 225. For the understanding of the last-cited authority, it should be known, that sir Thomas the father of Henry Jermyn bore the office of vice-chamberlain.

*Neal's *Hist. of the puritans*, vol. ii. p. 201.

publicly gave thanks to God. From what was called reverence to the priesthood, Leighton was first degraded by the high-commission ; the whole savage punishment was then inflicted upon him without the slightest mitigation.

The obloquy to which it exposed her from the opposite sect, and the consequence which it gave her with her own, tended alike to endear to Henrietta the religion she professed, and she lost no occasion of signaling her zeal. By the absurd and culpable indulgence of the king, she had been permitted again to introduce a fraternity of capuchins as an appendage to her household. A church was likewise to be built for them in a court of Somerset-house, and of this, as a contemporary letter informs us, "her majesty with her own hands helped to lay the two first corner-stones, with a silver plate of equal dimensions between them,—which stones, in the presence of 2000 people at least, they consecrated with great ceremony, having caused to be engraven upon the upper part of that plate, the pictures of their majesties as founders, and the lower side, of the capuchins as consecrators."

Even in her amusements the queen afforded subjects of indignant comment to those by whom her religion and her national manners were held in almost equal reprobation. A pastoral having been composed by Walter Montague, a favorite courtier, to be performed by her ladies and maids of honor, she herself condescended to study a part in it, "as well for her recreation, as for the exercise of her English." This was a striking novelty at the English court: Anne of Denmark and her ladies had indeed been accustomed to sustain parts in the performance of masques, but they were always mute ones ; these entertainments, as far as the amateur performers were concerned, being nothing more than displays of fancy dresses and figure-dancing. No English female had ever yet appeared on the public stage: the women's parts both in tragedy and comedy being constantly sustained by boys ; and the introduction of such an innovation under the sanction of so high authority and example, might reasonably have been viewed with alarm and displeasure by persons far removed from puritanism. It was immediately after the performance of her majesty's pastoral, that Laud brought to her a book called "*Histriomastix*," in the index to which "women actors" were referred to under a most opprobrious designation. Her majesty, naturally incensed by what she regarded as a personal insult of the grossest kind, called upon her royal consort for the vindication of her honor by

the exemplary punishment of the libeller. It was well known to the prelate that the work in question had been printed and licensed by the archbishop's chaplain several weeks before the court-pastoral was thought of : but the author, William Prynne, having already published some attacks upon episcopacy and upon the Arminians, for which he had escaped the bishop of London's vengeance by obtaining a prohibition against the proceedings of the high-commission, he seized without any hesitation this opportunity of bringing him into trouble. Peter Heylyn, afterwards the biographer of Laud, a divine more eager for his patronage than scrupulous about the means of obtaining it, was employed by him to draw from the book heads of scandal against the king, queen, state and government ; on which Noy, now attorney-general, notwithstanding the reluctance which he manifested, was directed by the prelate to institute proceedings ; the author being in the mean time committed to close custody in the Tower. This affair drew with it long consequences, and both the man and the work are sufficiently remarkable to claim an ample notice.

William Prynne, born of a good family at Swanswick in Somersetshire in 1600, graduated at Oxford in 1620 ; after which he entered at Lincoln's Inn, and became a laborious student of the law. He was at the same time a constant attendant on the discourses of the celebrated Dr. Preston, and adopted in all its rigor the system of Calvin both in doctrine and discipline, with the principles, the manners, and above all the scruples, characteristic of the English puritans. Of this sect indeed, Prynne may be regarded as the grand exemplar, and a catalogue of his astonishingly numerous and quaintly entitled polemical tracts, would of itself afford a pretty comprehensive notion of its leading opinions and points of controversy.

To renounce as antichristian the pomps and vanities, the elegancies and the amenities of life, was no sacrifice to Prynne ; under any system, he would have been by temper gloomy, unsocial, and severe. His views were narrow, his imagination dull, and his sympathies defective ; on the other hand, his reading was extensive, his earnestness commensurate with his opinion of the certainty and vital importance of the doctrines he embraced, his integrity above all suspicion, his fortitude inflexible, his diligence stupendous. It has been calculated that during his whole life, after the attainment of man's estate, he wrote on an average one printed

sheet daily. He would rarely intermit his solitary studies to partake of any regular meal, contenting himself with an occasional morsel or draught from the bread and ale which were constantly placed by his side ; and thus, in the midst of a capital and engaged in a profession, he led the life of an ascetic and almost of an anchoret.

"Histriomastix, the player's scourge or actor's tragedy," is an invective consisting of no less than 1000 closely printed quarto pages. Of the mode in which theatrical amusements were in his own time conducted, and their practical effects upon morals, the author was little qualified by personal knowledge to speak ; for he informs his readers, that having once in his life been drawn by the importunity of his companions to the theatre, the compliance appeared to him so exceedingly sinful, that he sat during the whole performance with his hat plucked over his eyes, groaning in spirit, and wondering what amusement any person could possibly find in these exhibitions. His information on this subject appears nevertheless to have been full and correct ; and the work has gained an artificial value with posterity from the curious notices which it preserves of the manners and fashions of the times, which have been culled with profane diligence from the mass, and employed to illustrate various obscure points in the early history of the English drama. It is inscribed to his brother-students of the inns of court, whom he solemnly calls upon to falsify the following censure, passed upon them by English writers ; here referring to a passage in bishop Earle's witty book entitled *Microcosmography*.

"That the inns of court men were undone but for the players ; that they are the chieftest guests and employment, and the sole business that makes them afternoon's men : that this is one of the first things they learn, as soon as they are admitted ; to see stage-plays and *take smoke* at a play-house, which they commonly make their study ; and where they quickly learn to follow all fashions, to drink all healths, to wear favors and good clothes, to consort with ruffianly companions ; to swear the biggest oaths, to quarrel easily, fight desperately, game inordinately ; to spend their patrimony ere it fall, to use gracefully some gestures of apish compliment, to talk irreligiously, to dally with a mistress to prove altogether lawless instead of lawyers, and to forget that little grace and virtue which they had before : so that they grow at last past hopes of ever doing good, either to the church, their country, or their own or others' souls."

The body of the work may be described as a vast farrago of texts of scripture, decisions of synods and councils,—which it is to be remarked that the puritans of those days cited with as much reverence as their prelatical or even their Romish adversaries,—quotations from christian fathers, from divines, ancient and modern, catholic and protestant; from acts of parliament, statutes of universities, and even from heathen poets, philosophers and historians, all tending to show, according to the title-page, “That popular stage plays, (the very pomps of the devil which we renounce in baptism if we believe the fathers,) are simply heathenish, lewd, ungodly spectacles, and most pernicious corruptions; condemned in all ages as intolerable mischiefs to churches, to republics, to the manners, minds, and souls of men.” Of reasoning there is little or nothing; the author’s part is all railing. Nor does he confine himself to the professed object of his attack; dancing, dress, fashions, diversions of various kinds, the Book of Sports,—by which certain games were permitted on Sundays,—the new ceremonies introduced into public worship by the prelates, and even the festivities of Christmas,—or *Christ-tide*, as his sect preferred to call it,—all partake of his anathema.

Idolatry, whether heathenish or popish, was the mode of superstition of which the puritans stood most superstitiously in dread; and one of this writer’s leading objections to the drama is deduced from its original appropriation to the worship of Bacchus. To this he admits that it might be answered, that there was nothing either profitable or pleasing to man, which had not been dedicated to some false god or other; but that such dedications could not render whole species for ever unclean; nor was it unlawful for Christians to use inventions which heathens had abused. “This,” says he, “I allow, in case of profitable inventions or God’s good creatures,” and “it may be true in some particular cases, (as perchance in case of needful ceremonies, or of temples built and dedicated to idolatry,) that their impiety in tract of time may vanish, and then they may be consecrated to God’s service, and reduced to a lawful use; as the cathedral church of St. Paul’s, aforetime the temple of Diana, as some record, and most of our English churches, at first devoted unto mass and popish idolatry, are now designed to God’s public worship; whence the Brownists style them idols’ synagogues, Baal’s temples, abominable sties, and would have them razed to the ground; for which we all condemn them: yet it can-

not hold in stage plays ;” *because* these are “altogether unnecessary vanities and superfluous pleasures, which may be better spared than retained ;” *because* “they have always been scandalous and offensive to the church, and no restraining laws have ever been able to abridge, much less reform, their exorbitant corruptions.” Such were the distinctions of this writer, such his logic ! He even urges the danger of a revival of idolatry by means of classical dramas and poems, and complains that *forty thousand* plays had been written within a few years, and printed on better paper than the bible itself. Acting, he styles hypocrisy ; face-painting “an accursed hellish art.” He mentions that “they have now their female players in Italy and other foreign parts, and had such French-women actors in a play not long since personated in Blackfriars playhouse, to which there was great resort.”

Lovelocks, hairpowder, the effeminate fashions of the men, and the cropped hair of “our men-women monsters,” are fiercely stigmatized. Dancing is a thing “to God’s to Christ’s dishonor, religion’s scandal, chastity’s shipwreck, sin’s advantage, and the eternal ruin of many precious souls.” “Dancing,” he adds, “yea even in queens themselves and the very greatest persons, who are most commonly devoted to it, hath been always scandalous and of ill repute among the saints of God.” With a kind of savage exultation he records several pretended judgments of the Deity against the frequenters of theatrical entertainments ; he reprobates the mirth which they excite, as “cachinnations unbecoming a Christian ;” and to the ordinary plea for frequenting them, that some recreation is necessary, he triumphantly replies, that at least men can have no need of pastimes such as these in London, where they may hear excellent sermons on almost every day of the week.

After a long and rigorous imprisonment, the star-chamber passed upon Prynne the following atrocious sentence : To be fined 5000*l.* to the king, expelled the University of Oxford and Lincoln’s Inn, and incapacitated to practice in the law : To stand in the pillory, to lose his ears, to have his book burned before his face, and be imprisoned for life. Sir Symonds D’Ewes the antiquary, in his private journal, thus commemorates the sentence and the sufferer. “. . . . Notwithstanding this censure, which most men were affrighted at, to see that neither his academical nor barrister’s gown could free him from the infamous loss of his ears, yet all good men generally conceived it would have been remitted ; and

many reported it was, till the sad and fatal execution of it this Midsummer term. I went to visit him a while after in the Fleet, and to comfort him ; and found in him the rare effects of an upright heart and a good conscience, by his serenity of spirit and cheerful patience."

Several other nearly contemporary transactions deserve record as illustrations of the spirit and policy of Laud, which, through his daily augmenting influence over the mind of the king, had now become in a manner identified with those of the government itself.

Certain royal "Instructions" drawn up by the hand of this prelate were issued to the bishops, the purport of which was, to impose effectual restraints upon the party among the clergy opposed to his ecclesiastical innovations. By these, the prelates were enjoined constant residence and unremitting vigilance ; catechising was to be substituted for afternoon sermons, lecturers were laid under fresh restraints ; and they were commanded "to use *all* means, by some of their clergy, or others, to learn what was said by preachers and lecturers in their discourses, that they might take orders for any abuses accordingly : " An injunction fit to have been addressed by a grand-inquisitor to his familiars ! No private chaplains were to be allowed in the houses of any "under noblemen and men qualified by law,"—qualified, that is, to enable their chaplains to hold more than one cure,—for the law had debarred no man from maintaining a chaplain in his house, and "the country gentlemen," says Heylyn, "took it ill to be deprived of this liberty," and commanded to a constant attendance at their parish churches :—But this was a necessary step towards the maintenance of exact ritual conformity and the suppression of the Calvinistic doctrines.

To illustrate this subject it may be mentioned that sir Henry Slingsby, who, after bravely maintaining the royal cause in the field, at length died for it on the scaffold, in recording in his private diary for 1639 the baptism of his son, mentions thus feelingly the obstacles systematically opposed to the exercise of domestic worship. "The company at the christening was not many Mr. Thurcrosse preached, having come from York on foot that morning ; he refused to preach without leave from the chancellor, Dr. Easdel, because the chapel is not consecrated, so having with much ado got leave, he came unexpected. Notwithstanding this inhibition, we venture to have sermons in our chapel now and then, although we incur some danger if it were complained of. I once

essayed to get it consecrated by our bishop that now is (Neile), but he refused, having, as he says, express commands not to consecrate any, lest it may be the occasion of conventicles : And so I think it may be abused, yet it would be of great use to us that live here at Redhouse, to have a sermon in the chapel, being so far from our parish church at More Monkton, especially in winter weather. It is not amiss to have a place consecrated for devotion, as our churches are, thereby to separate them for that use, but we cannot stay ourselves here, but believe a sanctity in the very walls and stones of the church, and herein we do of late draw near to the superstition of the church of Rome, who do suffer such external devotion to efface and wear out the internal devotion of the heart.”*

The consecration of churches was in the eyes of Laud an affair of the highest importance ; and in January 1631 he first prepared to astonish the people of London by an exhibition of this kind. It is worthy of note, that the ritual of the church of England supplied no formula for this act, which the earlier reformers may thence be suspected to have regarded as superfluous, if not superstitious. Laud professed to employ, though not, he owned, without alterations and additions, a service composed by bishop Andrews for his own use ; but the fact was, that he had adopted for the purpose, with little or no variation, the forms of the Romish ritual. St. Catherine Creed church, which had not been rebuilt, but only repaired, was pronounced by him to stand in need of this operation, on account of the new materials introduced, and thither he repaired in great state, “an infinite number of people of all sorts,” says Heylyn, “drawing together to behold that ceremony, to which they had so long been strangers, ignorant altogether of the antiquity and the necessity of it.”

Without entering into the curious, but tedious and oftentold particulars of this most superstitious performance, and of the bowings and acts of adoration introduced into the administration of the eucharist,—the mass it might almost be called,—with which he concluded the scene,—it may be stated that the Romish aspect of the whole gave infinite scandal and alarm to the spectators, and according to the statement of his own partial biographer, might well have exposed any other than this bishop to a prosecution ;† but his power and favor were such as to put out of the question all opposition

* From a manuscript diary of Sir H. Slingsby.

† *Cyprianus Anglicus*, p. 200.

on the part of individuals, and no parliament existed ; and thus the opportunity was afforded him of several times repeating the offensive ceremony in different churches of London or its vicinity.

A society had been instituted about the beginning of the reign, maintained by voluntary subscriptions, for the purpose of buying in lay impropriations, and endowing what was called " a preaching ministry " with the revenues. In this there was nothing contrary to law ; but it was no sooner suggested to Laud, through the interested officiousness of Heylyn, that the clergy presented by the feoffees belonged to the puritanical party, than he resolved to put an end to the whole design ; and Noy lending his aid to the injustice, the feoffees were summoned before the ' court of exchequer, the trust annulled, the impropriations already purchased confiscated to his majesty's use, and " the merit of the cause referred to a further censure ; " * that is, they were menaced with a prosecution in the star-chamber, which however was not proceeded in, after the society had submitted to the wrongful seizure of all its property.

The cathedral church of St. Paul, the most spacious, and anciently the most magnificent structure in the kingdom, had long since fallen into a dilapidated and almost ruinous state. During the reign of James, materials had been provided and money raised for its repair ; but the task had been continually procrastinated, the funds being probably diverted to other purposes. On the translation of Laud to the see of London, it became one of his favorite objects to remove what might justly be regarded as a reproach to the city, and even to the government, by rescuing this venerable edifice from decay, and restoring it to all its pristine splendor. But in this, as in all his other enterprises, his impetuous zeal, as it hurried on to its end, seized without scruple upon all the means which offered, and trampled alike on the prejudices, the interests, the feelings, and the rights of men.

No juncture could have been more unpropitious to such an undertaking. In catholic times, the resources for works of this nature were obvious and abundant. The ecclesiastics of rank, unmarried and with vast revenues at their disposal, delighted to perpetuate their names in monuments of architectural taste and magnificence, consecrated to the purposes of religion. Princes, noblemen and ladies, were actuated by similar

* *Cyprianus Anglicus*, p. 200.

motives of piety or ambition ; and even the common artisans were easily incited by their priests to bring their contributions in labour, for which they were to be repaid by indulgences, and the prayers of the church. But these springs the Reformation had dried up. The clergy no longer possessed incomes to the same amount, or equally disposable : the funds of the nobility were absorbed by the increasing luxury of private life, and in the popular system of religion, faith had taken place of the good works of the church, which were decried against as superstitious, and shunned as expensive. Contributions purely voluntary could not therefore be relied upon for the completion of so vast an enterprise ; during the suspension of parliaments no tax could legally be imposed for this or any other object, and the deficiency could only be supplied by the most odious and exasperating modes of extortion.

To give a distinguished commencement to the work, the king, at the bishop's suggestion, visited St. Paul's in state ; and after hearing an appropriate sermon, " took a view of the decays of the church," and promised that his efforts should not be wanting. Soon after, to give as much as possible an air of lawful authority to the intended collection, a commission was issued under the great seal, appointing money brought in for this purpose to be paid into the chamber of London, and a register to be kept of the contributors, and the amount of their subscriptions ; and declaring further, that " the judges of the prerogative courts, and all officials throughout the several bishoprics of England and Wales, upon the decease of persons intestate, should be excited to remember this church out of what was proper to be given to pious uses."* It is surprising that the last clause should have escaped the pointed animadversion of historians. The goods of intestates had indeed, in very early times, been granted by the crown, which had previously laid claim to them, to be employed by the ordinaries in what were then called pious uses ; but the flagrant abuses which grew out of the exercise of this power,—or rather perhaps the hardship and injustice of the thing itself,—had prompted the legislature to interpose ; and by a statute dated as far back as the 31st of Edward III. compelling the ordinaries to appoint administrators, who were bound to account in the same manner as executors under a will, the power of applying any part of the property of intestates to

* *Life of Laud*, p. 208.

such uses, had been finally and completely taken away. Yet we here find the existence of such a power assumed as a thing of course, and a door thus reopened to a mode of ecclesiastical extortion which had been suppressed as intolerable by the legislative wisdom of the fourteenth century.

A previous step to ecclesiastical encroachment in these affairs, may be traced in a proclamation of October 1629, addressed to the bishops for the repair of decayed churches throughout the kingdom. The churches, it is said, ought to be repaired by the inhabitants and landholders (and not, it seems, out of the tithe), and the bishops are directed "to use the powers of the ecclesiastical court, for putting the same in due execution; and that the judges be required not to interrupt this *good work* by their *too easy* granting of prohibitions."* That is, they were enjoined not to grant the subject legal redress against the extortions of the spiritual power. As a further check upon the interposition of the law, a commission was issued in May 1631, empowering the privy-council, in all future time, "to hear and examine all differences which shall arise betwixt any of our courts of justice, especially between the civil and ecclesiastical jurisdictions."† An enormous stretch of power, though the commission does not seem to have been acted upon!

In this, as in many of his undertakings, Laud found few willing cooperators; "though," says Heylyn, "it be affirmed by a late historian that many had no fancy to the work because he promoted it, yet on the contrary it is known, that had he not promoted it, there were not many would have had the fancy to a work of that nature. Some men in hope of favor and preferment from him, others to hold fair quarter with him, and not a few for fear of incurring his displeasure, contributing more largely to it than they had done otherwise; if otherwise they had contributed at all." The clergy, being summoned by their ordinaries, gave a kind of annual subsidy; the king contributed in the whole about 10,000*l.*, sir Paul Pindar 4000*l.* besides other assistance, Laud himself no more than 100*l.* per annum; the public subscription amounted to about 100,000*l.* But these resources falling very short of what was required, a further supply was sought in the fines imposed by the high-commission and the star-chamber, concerning which lord Clarendon writes, that Laud, desirous of bringing high as well as low under the

* Rushworth, part ii. p. 28.

† Rymer, *Fœd.* xix. 279.

rod of church discipline "thereupon called for and cherished the discovery of those who were not careful to cover their own iniquities, thinking they were above the reach of other men's, or their power or will to chastise. Persons of honor and great quality, of the court and of the country, were every day cited into the high-commission court upon the fame of their incontinence, or other scandal in their lives, and were there prosecuted to their shame and punishment : and as the shame was never forgiven, but watched for revenge, so the fines imposed there were the more questioned and repined against, because they were assigned to the repairing and rebuilding of St. Paul's church ; and thought therefore to be the more severely imposed, and the less compassionately reduced and excused ; which likewise made [the jurisdiction and rigor of the star-chamber more felt and murmured against." Thus St. Paul's was said, like St. Peter's, to be built with the sins of the people ; and the result was scarcely less disastrous to that church-establishment which the edifice was designed to honor and adorn.

In another and a very different point of view, the time was ill-chosen for restoring this grand national monument : This was the *transition-age* between the Gothic and the Grecian and Italian architecture ; and Inigo Jones, attached with a kind of bigotry to the Palladian style, which he had the principal merit of introducing into Great Britain, made no scruple of sacrificing that most indispensable principle of taste, congruity, by affixing to the western end of the cathedral, the sides of which he had restored with a bad and clumsy Gothic, a portico of the Corinthian order. This portico, described as in itself "a grand and beautiful composition, and not inferior to anything of the kind which modern times have produced," was designed as an ambulatory, that the church itself might no more be profaned by the kind of exchange which had long been customarily held in its middle aisle, called Paul's walk ; and men were now strictly prohibited from making it a common thoroughfare, or carrying burdens through it. By the unremitting assiduity of the bishop, the work proceeded with such diligence, that before the year 1640 the whole body of the church was finished, and preparation made for taking down and rebuilding the steeple ; but "as he fell, the work fell with him." The annual contributions sank rapidly to nothing, and during the civil wars, the parliament seized all the remaining stores of money and materials. At that time, whilst the choir was still occupied as a place of worship, the rest of

the building was converted into barracks for dragoons ; the pavement was in various parts broken up for saw-pits, and many other injuries were inflicted upon it by rapacity, fanaticism and wantonness. Soon after the Restoration, its repair was taken into consideration ; but nothing considerable had been done towards it, when the fire of London, by completing its ruin, fortunately made way for the erection of that sublime temple which now dignifies the metropolis and immortalizes the genius of Wren. The cost of this edifice was 760,000*l.*, many times more than the sum extorted with so much harshness and tyranny, and productive of such dangerous disaffection, under Charles I. But it was mostly raised by a tax on coals, regularly and constitutionally assessed upon the people by their own representatives, and therefore paid without a murmur.

Disputes having about this time arisen at Oxford between the champions and opponents of the ecclesiastical innovations, Laud persuaded the king to usurp the office of an umpire, and the adversaries of Arminianism were in consequence condemned, and visited with marks of displeasure. In speaking publicly before his majesty on this affair, the bishop took occasion to drop some expressions in disparagement of the married clergy, announcing, that in the disposal of benefices, other things being equal, he should always give the preference to such as lived in celibacy ; but this proved to be too daring an approach towards Rome ; and the general murmur admonished him of the expediency of a retraction, which he made indirectly, by negotiating a marriage between one of his own chaplains and a daughter of Windebank, clerk of the signet ; and performing for them himself, in the chapel of London-house, the nuptial service, "with all other ecclesiastical rites," says Heylyn, "which belonged to the solemnization of matrimony by the rules of *this church*." Remarkable expressions, which seem to imply an administration of the sacrament, preceded possibly, as among the catholics, by auricular confession, known to be one of the practices of what he regarded as the primitive church which this prelate labored to restore.

In the bishop's diary, the following entry appears for June 15th, 1632. "Mr. Frances Windebank, my old friend, was sworn secretary of state, which place I obtained for him of my gracious master King Charles." On July 10th of the same year, he notes ; "Dr. Juxon, then dean of Worcester, at my suit sworn clerk of his majesty's closet. That I might have one that I could trust near his majesty, If I grow

weak or infirm, as I must have a time.”* “So that,” as Heylyn observes, “Windebank having the king’s ear on one side, and the clerk of the closet on the other, he might presume to have his tale well told between them; and that his majesty should not easily be possessed with any thing to his disadvantage.”† These transactions are sufficient to evince that by this ecclesiastic the worst arts of a court were neither unstudied nor unpractised; his grasping spirit neglected, in fact, no occasions of extending, which he believed to be the same with perpetuating, his own power and influence and those of his order. Thus, a contest arising between the lord keeper and the master of the wards respecting the disposal of benefices in the presentation of the king’s wards, Laud, in the words of his eulogist, “ends the difference by taking all unto himself;” persuading the king first to seize and then to grant to him this branch of patronage, under pretence of rewarding army chaplains. In the disposal of bishoprics his authority was paramount, and he now found opportunity to advance his designs by several important changes.

On the death of Harsnet, archbishop of York, he prevailed with his ancient patron and coadjutor Neile, to remove thither from Winchester; and since the bishop of this last see, as visitor of five colleges in Oxford, had the means, if so disposed, of putting a curb on the authority of the chancellor of the university, he thought it “most conducive to his peace and power,” to remove thither Cuile bishop of Bath and Wells. At Norwich he placed the witty and jovial Corbet, irreconcilably opposed by temper and manners to Calvinistic gloom and austerity, and endeared to Laud as an old fellow-sufferer in the Arminian cause at Oxford. By every one of the translations consequent upon these, he likewise contrived to gain some favorite point; often the permanent annexation of a rich living to the bishopric, by way of compensation for the spoliation which all episcopal revenues had suffered from the hands of the Tudors.

Two other characteristic exertions of his authority are recorded about this time. The king’s printers, in an edition of the Bible, had committed the awkward error of omitting the word *not* in the seventh commandment: the bishop, not content with ordering the impression to be called in for correction, caused the high commission to inflict on the involun-

* *Troubles and Trials of Archbishop Laud*, p. 47.

† *Cyprianus Anglicus*, p. 214.

tary culprits an exorbitant fine, with part of which he directed fine Greek types to be provided for publishing such ancient manuscripts as should be brought to light. Sherfield recorder of Sarum, having by direction of a vestry, and in obedience both to statutes and canons, commanding the destruction of monuments of idolatry, ordered a disgusting representation of God the Father in the window of his parish church to be taken down and broken to pieces, Laud caused him to be prosecuted in the star-chamber for what he pretended to be a lay usurpation on the jurisdiction of the bishop, or on that of his majesty, as head of the church. Here, "he did not only aggravate the crime as much as he could, in reference to the dangerous consequences which might follow on it,—amongst which he mentioned that of deterring moderate catholics from attending the church,—but defended the use itself of "painted images," "in the way of ornament and remembrance." In conclusion, after warm debates, in which some members of the court ventured to express their jealousy of the bishop's leaning towards popery, the majority concurred in sentencing the accused, by a judgment comparatively lenient, to pay 500*l.* to the king,—to lose his office of recorder, and be bound to his good behavior; "as also, to make a public acknowledgment of his offence, not only in the parish church of St. Edmonds where it was committed, but in the cathedral church itself, that the bishop, in contempt of whose authority he had played this pageant, might have reparation."*

This act, by the confession of his biographer, drew upon Laud "such a clamor as not only followed him to his death, but hath since been continued in sundry pamphlets." In fact, a more flagrant breach of every principle by which civil society is held together, cannot easily be conceived; and it is impossible to reflect without a kind of wonder at the guilty boldness of this ecclesiastic, who in his efforts to reassert the most arrogant assumptions of his order, had taken means to render it more penal for an Englishman to give effect to the laws of his country than to violate them. That such proceedings should have obtained the sanction of any proportion of the lay judges in the star-chamber,—those prime counsellors of the nation,—is an equal reproach to their wisdom and their integrity. If once the power of the church were thus enabled to erect itself above the authority of the

* *Cyprianus Anglicus*, p. 215, *et seq.*

law, it signified little whether that power were to be wielded by a pope or a patriarch ; for not only the spirit of the Reformation was gone, but that of the English nation itself, and of its venerable and free constitution.

In May 1631 died sir Robert Cotton, one of the most learned legal and historical antiquaries of his time, and honored by posterity as the founder of a noble library of manuscripts, which, being protected from dispersion by his last will, now augments the treasures of the British Museum. *His character in other respects presents some remarkable contrarities, and the closing scenes of his life afford a melancholy exemplification of the principles and practices of the age.*

Robert Cotton was born of an ancient family in Huntingdonshire in 1570 ; and after completing his course at Trinity College Cambridge, and passing some time in studious retirement at his father's seat, he took up his permanent residence in London. He was a member of the society of Antiquaries before the political fears of king James compelled it to suspend its sittings ; and in 1600, he gave what must then have appeared an almost heroical proof of attachment to his favorite pursuits, by accompanying Camden in a journey to Carlisle for the purpose of exploring the remains of the Picts Wall. He likewise supplied this meritorious writer with some valuable materials for his "*Britannia*," derived chiefly from records and charters dispersed into private hands at the dissolution of the monasteries, which he now made it his business to collect ; adding such other ancient documents as he was able to procure. As his fame and his knowledge increased, Cotton was frequently consulted by the ministers and privy councillors of James, and afterwards of Charles, on questions relating to the English constitution, and he composed on subjects of this nature many learned tracts and memorials. King James likewise employed him to draw up a refutation of some of Buchanan's charges against his mother, said to be incorporated with Camden's *Annals*. He is reported to have been the first projector of the order of baronets, into which he gained an early admission. Some part of his political conduct is exposed to suspicion, for in 1615 we find an order for the committal of sir Robert Cotton, and the sealing up of his library, on information of his entertaining a dangerous correspondence with the Spanish ambassador : it has likewise been recorded, that in a list of the pensioners of Spain in England delivered by Gondomar to his own court, sir Robert Cotton was charged with the receipt of

1000*l.* ; but on his denial and demand of reparation in honor, his name was withdrawn as the error of a secretary.* But whatever might be the degree of his culpability in these intrigues, there is good reason to believe that the earl of Somerset was much more deeply implicated in them, and through his interest, probably, Cotton was speedily liberated. He was examined however on the trial of the earl, as the depositary of some of his political secrets. It is also stated, that the form of that scandalous pardon for all treasons, murders and felonies, by him "committed or to be committed," under which this guilty minion sought, but in vain, to protect himself from the justice which he dreaded, was furnished to him from ancient precedents by sir Robert Cotton. In the same year he employed himself by king James's command in drawing up a plan for the repression of Jesuits, priests and recusants "without drawing blood." Afterwards he composed an answer to certain arguments urged by members of the lower house "to prove that ecclesiastical laws ought to be enacted by temporal men."

It is certain however, that this learned antiquary was by no means disposed to lend his countenance to the extravagant pretensions or arbitrary measures of the court. Law and precedent were on all occasions the rule to which he referred ; and he seems to have been equally ready to apply it by whichever party it was appealed to. In a learned tract published long after, under the title of "The antiquity and dignity of parliaments," he vindicated the rights of the commons against the arrogance of king James ; he advised his successor to summon a parliament notwithstanding the reluctance of Buckingham, and being called to the privy council, earnestly exhorted him to abstain from unwarrantable acts of power, and not to attempt to raise money without the concurrence of the commons. He also supported the complaints of grievances in the first parliament of Charles, who so early as 1626 threatened to take his books from him, because he was accused of imparting ancient precedents to the lower house ;† a menace which was at length carried into effect on the following occasion. During the year 1629 a few copies had been handed about in manuscript, amongst the leaders of the popular party in both houses, of a piece called "A Proposition to bridle the impertinency of parliaments ;" in which the sove-

* *Annals of king James and king Charles*, p. 47.

† See Brodie's *British Empire*, vol. i. p. 8.

reign was advised to levy troops, to place garrisons in his chief towns, and then to rule without control. The king, on its being shown to him, treated it as an insidious or ironical piece, designed to bring him into suspicion with the people, and by his command Mr. Oliver St. John was committed to the Tower as the suspected author. This gentleman now confessed that the piece had been lent him for hire, *without the owner's knowledge*, out of sir Robert Cotton's library ; against whom, as also against the circulators of it, namely the earls of Clare, Bedford and Somerset, Selden and St. John, proceedings were immediately commenced in the star-chamber. It was proved by the earl of Somerset on the trial, that this tract, so far from being the recent production of a popular leader, had been sent to himself sixteen or seventeen years before, to be presented to king James, and that it was written with a serious design to serve the cause of monarchy, by the noted projector sir Robert Dudley, then an exile at Florence.

On this evidence, all the defendants were, with a great parade of royal clemency, dismissed, and the proceedings taken off the file ; but at the beginning of the affair an order had been made for certain privy councillors to enter the house of sir Robert Cotton, and search his books, records and papers, setting down *such as ought to belong to the crown* ;* and on this authority, such as it was, his whole collection was shut up from his use.

Of the effects of this detestable act of oppression on the sufferer, sir Symonds D'Ewes thus writes in his diary : " When I went several times to visit and comfort him in the year 1630, he would tell me, ' they had broken his heart that had locked up his library from him.' I easily guessed the reason, because his honor and esteem were much impaired by this fatal accident ; and his house, that was formerly frequented by great and honorable personages, as by learned men of all sorts, remained now, upon the matter, empty and desolate. I understood from himself and others, that Dr. Neile and Dr. Laud, two prelates that had been stigmatized in the first session of parliament in 1628, were his sore enemies. He was so outworn, within a few months, with anguish and grief, as his face, which had been formerly ruddy and well colored, was wholly changed into a grim blackish paleness, near to the resemblance and hue of a dead visage." We have seen that he survived but a few months. It is said, in a

* Rymer, *lix.* 198.

contemporary letter, "that before he died he requested sir Henry Spelman to signify to the lord privy seal and the rest of the lords of the council, that their so long detaining of his books from him, without rendering any reason for the same, had been the cause of his mortal malady ; upon which message the lord privy seal came to sir Robert, when it was too late, to comfort him from the king ; from whom the earl of Dorset also came, within half an hour after sir Robert's death, to condole with sir Thomas Cotton his son for his death ; and to tell him, from his majesty, that as he loved his father, so he would continue to love him." But the writer trusted little to the effects of this "court holy-water."*

From a curious letter lately made public,† addressed to sir Robert Cotton by Augustine Baker, a learned catholic priest then resident at Cambray, requesting him to bestow upon a convent of English nuns in that city some English books, printed or manuscript, fit for their perusal, such as "contemplations, saints' lives, or other devotions," we seem authorized to conclude that his respect for authority and antiquity had either made or preserved this eminent person a member of the church of Rome.

About the end of the year 1632, Mary de' Medici and her son Gaston duke of Orleans, whose plots and intrigues against the peace of the kingdom of France and the power of cardinal Richelieu had banished them from that country, proposed to make England a place of retreat for themselves and their adherents ; but a timely message sent by king Charles to the queen-mother, then at Brussels, averted for the present, the obvious mischiefs of her presence in a court and country where her religion, her character, and her influence over the mind of her daughter, must all have concurred to render her an object of dislike and suspicion equally to the king and the people. Another royal exile, whose claims were cheerfully admitted by every English heart,—the widowed queen of Bohemia,—received about the same time from Charles an invitation to his court, honorable, by its apparent cordiality, to its fraternal feelings. It was declined, on the plea that the grief of the queen for her recent loss would cloud too much the pleasure of the meeting : but the high-spirited Elizabeth was in fact dissatisfied with the abject tone which Charles had directed the earl of Arundel, his ambassador, to employ towards the emperor in his negotia-

* Chalmers's *Gen. Biog. Dict.*

† Ellis, 2d series, iii. 257.

tions for the restoration, of her children to their hereditary rights and possessions ; and it was more consonant with her inclinations to remain in Holland to stimulate or direct the efforts then making by the States in her son's behalf.

CHAPTER X.

1633 and 1634.

King's progress to Scotland to be crowned,—is entertained by the earl of Newcastle,—Account of him.—Splendor of the progress,—Expense to Scotch nobility,—State of Scotch church, and king's measures and designs respecting it.—Coronation.—Conduct of Charles towards Scotch parliament,—He becomes unpopular, and why.—Edinburgh made a bishop's see.—Laud a privy-councillor for Scotland.—English liturgy appointed to be used in Holyrood chapel.—King's return to England.—Death of archbishop Abbot.—Laud succeeds him,—Is offered to be a cardinal.—Reflections.—State assumed by Laud, who receives the title of Holiness from the university of Oxford.—Conduct of Wentworth as president of the North.—Cases of Bellasis and sir D. Foulis.—Wentworth appointed lord deputy of Ireland.—Troubled state of that country.—Measures against the puritans.—Communion tables turned into altars.—Book of sports.—Plays performed at court.—Inns of Court masque.—Notice and death of Noy.—Death and character of sir Edward Coke.—Seizure of his papers.

CHARLES I. on his accession, as if taking for granted the existence of that union of his two British kingdoms for which his father had sought in vain the concurrence of their separate legislatures, had caused himself to be proclaimed by the novel style of King of Great Britain. From this act it seemed not an improbable inference that he designed to dispense with the ceremony of a coronation for Scotland; and eight years' delay of this rite had served to confirm the impression. But no sooner had he and his favorite prelate organized their system of government civil and ecclesiastical in England, than they began to extend their schemes to Scotland. In pursuance of these, it was industriously given out, that the Scots had long murmured that their native prince did not think their crown worth coming for; and great preparations being made, on May 13th, 1633, Charles set forth for Edinburgh in order to his coronation.

For the purpose of swelling his train and augmenting the

effect of that display of power and majesty by which it was his object to overawe the spirit of the Scottish people, the king made no scruple of issuing his *commands* to many of the chief nobility of England to attend him, at their own expense, in this royal progress, which occupied no less than twenty-four days ; and his mandates were obeyed with at least a seeming alacrity.

Much show and considerable demonstrations of loyal sentiment attended the movements of the king. Those of the nobility and gentry whose mansions bordered on the north road, exerted themselves to the utmost in showing hospitality to the lords and courtiers in attendance ; and the king himself accepted invitations from many. But the efforts of all others were totally eclipsed by the prodigality of the earl of Newcastle, who entertained the king and court, according to the expression of lord Clarendon, which bear however an air of exaggeration, "in such a wonderful manner, and in such an excess of feasting, as had never been before known in England ; and would be still thought very prodigious, if the same noble person had not, within a year or two afterwards, made the king and queen a more stupendous entertainment ; which (God be thanked) though possibly it might too much whet the appetite of others to excess, no man ever after imitated."*

A slight sketch of the history of this nobleman, for whom destiny had a much more eventful career in reserve, will sufficiently explain the causes and inducements to this extraordinary display of loyalty. William Cavendish, born in 1592, was the son and heir of sir Charles Cavendish of Welbeck, knight, by a coheirress of Cuthbert lord Ogle. He was grandson of that William Cavendish, the attached dependent of Wolsey, who laid the foundation of the almost unexampled prosperity of his house, by his intermarriage with Elizabeth Hardwick, celebrated for her adroitness, her talents for business, and her insatiable rapacity ; who rose by her fourth marriage to the rank of countess of Shrewsbury, but bore children only to her second husband Cavendish, who consequently became the heirs of her vast accumulations. At the creation of Henry prince of Wales, Cavendish was made a knight of the bath ; and was sent abroad with sir Henry Wotton, then ambassador to Savoy. He succeeded to his father at the age of twenty-three, and soon married a Stafford-

* *Hist. of Rebellion*, restored edit., vol. i. p. 139.

shire heiress, after which he lived chiefly on his own estates, keeping great hospitality, and devoted to field sports. James was induced to confer upon him the titles of viscount Mansfield and baron Bolsover; to which honors king Charles added those of earl of Newcastle and baron of Bothol; with the appointment of warden of Sherwood forest and lord-lieutenant of Nottinghamshire. On the decease of his cousin the first earl of Devonshire of the name of Cavendish, he became lord-lieutenant of Derbyshire likewise; but resigned the office when the second earl came of age. "In these and all public and private employments," says his lady in her biography of him, "my lord hath ever been careful to keep up the king's rights to the uttermost of his power."

Without being a scholar, the earl of Newcastle was a lover of polite literature, a patron of its professors, and even an author; he wrote many lyrical poems and comedies, now forgotten, and a book on horsemanship and the art of the "manège," which gained him contemporary applause, and is still valued as a curiosity. In the more trying scenes of his life his honor, humanity, and personal courage were conspicuous, and under all circumstances of fortune he was addicted to a magnificence excessive even in proportion to a rental estimated before the civil war at the vast sum, for those days, of 22,393*l*. Of his entertainments given to the king and royal family, his wife thus speaks.

"When his majesty was going into Scotland to be crowned, he took his way through Nottinghamshire, and lying at Worksop manor, hardly two miles distant from Welbeck, where my lord then was, my lord invited his majesty thither to a dinner, which he was graciously pleased to accept of. This entertainment cost my lord between four and five thousand pounds; which his majesty liked so well, that a year after his return out of Scotland, he was pleased to send my lord word, that her majesty the queen was resolved to make a progress into the Northern parts, desiring him to prepare the like entertainment for her as he had done formerly for him. Which my lord did, and endeavored for it with all possible care and industry, sparing nothing that might add splendor to that feast, which both their majesties were pleased to honor with their presence. Ben Johnson he employed in fitting such scenes and speeches as he could best devise, and sent for all the gentry of the country to come and wait on their majesties; and in short did all that ever he could imagine to render it great, and worthy their royal acceptance.

This entertainment he made at Bolsover castle and resigned Welbeck for their majesties' lodging ; it cost him in all between fourteen and fifteen thousand pounds.

"Besides these there was another small entertainment which my lord prepared for his late majesty, in his own park at Welbeck, when his late majesty came down with his two nephews, the now prince elector Palatine and his brother prince Rupert, into the forest of Sherwood ; which cost him fifteen hundred pounds."*

The splendor of the royal progress was enhanced by the circumstance of the offices of the English royal household being at this time almost equally divided between English and Scottish courtiers, who on this occasion were prompted by the spirit of nationality strenuously to vie with each other in displays of dress, equipage, and attendance. Immediately on the king's crossing the border, the whole of the English household resigned their functions to the corresponding officers for Scotland, whose places were mostly hereditary, and who very nobly discharged the duties of hospitality which at the same time devolved upon them. Such in fact was the excessive expense thus incurred by many of the Scottish nobles, bent on vindicating their country from the reproach of poverty, as to bring upon them embarrassments the chagrin of which has been suggested as one of the motives of that disaffection to their prince which quickly succeeded to these vehement demonstrations of loyal sentiment : But in truth the general causes of this altered state of feeling lay far deeper.

It will be recollected that king James, almost from the period when he first assumed the reins of government in Scotland, had been in a constant state of hostility with the national church, and that there were few projects which he had pursued with more ardor and perseverance than that of restoring episcopacy in Scotland, and introducing a liturgic form of worship with rites and ceremonies after the Anglican model. He had proceeded so far towards the accomplishment of his design as to appoint bishops by virtue of his prerogative ; but as the episcopal order had been abolished by law, and its authority, like its revenues, had passed into hands which refused to relax their grasp, these dignities were little more than titular. On his visit to Scotland in 1617, this sovereign had further succeeded in extorting the sanction of a synod held at

* *The Life of the duke of Newcastle by Margaret duchess of Newcastle.*

Perth for the adoption of five articles taken from the English ritual ; and had erected a court of high-commission for the protection of these innovations and others which he meditated ; but the whole of his measures had been encountered by so formidable a spirit of resistance, that he had thenceforth given up the cause in despair ; and when Laud, almost on his first introduction at court, had ventured to offer to him some suggestions for the renewal of his attempts, bitter experience prompted him not only to reject the idea, but to cast reproach and discountenance on the author of it, as a rash and evil counsellor. Through his wonted facility, however, James had afterwards yielded, at the intercession of Buckingham and Williams, to that advancement of Laud which had eventually rendered him the favorite adviser of his son and successor ; and it was with the purpose of pursuing, under the guidance of this prelate, those very schemes which his more prudent father had rejected or abandoned, and of the hazard of which he had himself made some experiment, that Charles now revisited his native kingdom, a suspected and inauspicious guest : The event was such as to yield fresh testimony to the sagacity of him whose fears had so often proved prophetic.

It was legal, and had been customary, for every Scottish king on his accession to revoke any donations which might have been made by his predecessor of such lands as formed a part of the patrimony annexed by law to the crown. Charles, improving upon this practice, had passed an act in the first year of his reign, for the resumption of all those appropriated tithes and benefices which, having reverted to the crown since the Reformation,—that is, during a period of more than eighty years,—had been subsequently granted by the sovereign to reward the services, or silence the importunities, of his nobles. These impropriations were destined by the monarch to form an endowment for the new dignitaries of the church, and in the year 1626 the earl of Nithsdale had been sent to Edinburgh with the character of king's commissioner to enforce their surrender by threats and promises. A convention was summoned to treat of the affair ; but at a previous meeting of the parties interested, who were considerable both for rank and numbers, it was resolved that the demand should be peremptorily rejected, and even, that “ when they were called together, if no other argument did prevail to make the earl of Nithsdale desist, they would fall upon him and all his party in the old Scottish manner, and knock them on the head.” “ The appearance at that time was so great,” adds the histo-

rian, "and so much heat was raised upon it, that the earl of Nithsdale would not open all his instructions, but came back to court, looking on the service as desperate ; so a stop was put to it for some time."*

A kind of compromise had afterwards been forced upon the impropiators, which gave them extreme discontent ; but Charles and his episcopal adviser were not to be satisfied with partial success or modified obedience, and they would not suffer themselves to doubt for a moment that all opposition would be prostrated before the frown of a present and offended sovereign.

The king's entry and coronation "were managed," we are told, "with such magnificence that the country suffered much by it ;"† and the coronation service, as performed by the archbishop of St. Andrews, gave high offence to the people on account of the introduction of an altar, and of rites closely bordering on the ceremonial of the mass. Also, the archbishop of Glasgow, having presented himself without the embroidered robes prepared for his use, which he scrupled to wear, was publicly removed from the side of the king of Scotland, by his favorite English bishop, with an insolent and indecorous violence.

In the parliament which succeeded, stratagem was employed to secure the election of lords of the articles whose subserviency to the royal will could be relied upon ; and after a grant had been obtained of supplies to an unprecedented amount, an act was proposed for confirming to the king the whole of that indefinite extent of prerogative which had been conceded to his father, and also for confirming religion, "as at present professed," and enabling his majesty to regulate the vestments of churchmen. The last article met with strong opposition. The cope and the surplice were objects of horror to the Scotch ; and an aged nobleman exclaimed aloud, that he had sworn with the king's father and the whole nation to a confession of faith in which these intended innovations were solemnly abjured. Charles, disconcerted by this remark, retired for a few moments, but resuming on his return his imperious tone, he commanded the members not to debate, but to vote, and producing a list of their names, he added ; "I shall know to-day who will do me service." Through a fraud of the lord-register in taking the votes, the articles appeared to be carried, although the majority was in fact against them :

* Burnet's *Own times*, i. 35 edit. 1823.

† *Ibid.* i. 36.

lord Rothes demanded a scrutiny, but it was authoritatively refused by the king, unless that nobleman would take upon himself to charge the lord-register with the capital crime of wilfully falsifying the votes, which, on failure of proof, subjected the accuser to the like punishment. Lord Rothes declining to incur this formidable responsibility, the articles passed.

By these acts of overmastering power, tending to deprive the nobles of revenues which long possession had taught them to regard as inalienable, the parliament of its independence, and the people of the only safeguards of a religious system to which they were irremovably attached, Charles speedily drew upon himself such unequivocal marks of resentment from all classes as attracted his own attention, and in the simplicity of that ignorance of mankind characteristic of princes who have conversed with flatterers from their cradle, he expressed to a Scottish bishop his surprise at the change. The prelate, instead of embracing the opportunity to impress on his mind some wholesome truths, replied, ominously as it was thought, that the Scotch were ready to crucify tomorrow him whom they had yesterday saluted with hosannas.* But all apprehension of personal responsibility was still immeasurably distant from the king's conceptions, and the tokens of disaffection exhibited by those whom he regarded as born for implicit obedience, sullenly received and haughtily retorted, ministered only to mutual exasperation.

By the king's command, Edinburgh was now erected into a bishopric and endowed with church lands which, for example's sake, certain great nobles were privately bribed to surrender: Laud, who, to the just displeasure of the Scottish clergy, had been admitted to preach before the king in his chapel of Holyrood, arrayed in vestments which they scrupled to wear, a discourse in praise of rites and ceremonies which they abhorred, was likewise appointed a privy councillor for Scotland; and certain clerical aspirants, already prepared to regard him as a spiritual head and ruler, began to pay court to him by making their pulpits resound with the doctrines of Arminianism, which the indignant partisans of the kirk denounced with fury on the other hand, as the sure harbinger of popery.

Having to outward appearance completely effected the immediate objects of his expedition, and taken measures for the

* Laing's *Hist. of Scotland*, iii. 113.

further advancement of his schemes of ecclesiastical policy, Charles, after performing a progress through the principal cities of Scotland, "made a posting journey to the queen at Greenwich," where he arrived on July 20th, having crossed the water at Blackwall without passing through London. A contemporary writer well remarks, that in this last act he laid aside the majesty of his predecessors, and especially of queen Elizabeth, who seldom ended any of her summer progresses without shaping her course so as to make her passage to Whitehall through some part of the City; when the lord-mayor and corporation, and the trading companies, were always drawn out in their formalities to meet her; by which she kept the citizens "in a reverent opinion and estimation of her." These and other acts of popularity and majesty combined, were, as he adds, disused by king James, "who brooked neither of them," and not being taken up again by his son, "who loved them not much more," first a neglect of their persons, and ultimately a dislike of their government ensued.*

The first important incident after the king's return, was the death of archbishop Abbot; a prelate disgraced by the king, revered by the people, and cherished by all, in every class, whose consciences were alarmed at the late approximations to popery in the English ritual, or whose spirits revolted at the violent and tyrannical means by which it was attempted to establish them. Laud, who had already been allowed to assume the authority, was instantly invested with the dignity of the departed primate; and his ambition was at the same time tempted by the offer of a much more remarkable piece of preferment.

It is from his own diary we learn, what would be scarcely credible on any other authority, that on August 4th, the very day on which the news of Abbot's death arrived at court, there came one to him, "seriously, and that avowed ability to perform it," and offered him to be a cardinal. He went immediately and informed the king of the proposal;—a few days after it was repeated: "But my answer," he says, "again was, that somewhat dwelt within me which would not suffer that, till Rome were other than it is." In adverting to this subject in the narrative of his trial, the archbishop adds, "his majesty, very prudently and religiously, yet in a calm way, the person offering it having relation to some ambassador, freed me from that both trouble and danger."†

* Heylyn's *Life of Laud*, p. 228.

† *Troubles and Trial of archbishop Laud*, pp. 49, 383.

No incident of the whole life of Laud has exposed him to severer comment than this, and certainly not without reason. Addressed to any private gentleman, an invitation to apostatize would be a heinous insult ; to an ecclesiastic, a prelate, the expectant primate of a rival church,—a controversialist also, who boasted of the conversions or re-conversions which he had effected from this very faith,—a faith too absolutely proscribed by the laws of his country,—it seems an outrage scarcely to be paralleled : Yet that it was not regarded in this light by Laud, is manifest, both from the complacent tone in which he records the circumstance, and still more from his readmitting the emissary to his presence, and sustaining a repetition of the offer. The fair inference is, that the proposal flattered either his ambition, or at least his vanity ; and that whatever the *something* dwelling within him might be, which opposed his acceptance of it under present circumstances,—whether conscience or worldly prudence,—he was not disinclined to encourage negotiations on the principle of a compromise, by which at some future time he might be enabled to grasp the tempting prize. What were the precise views or sentiments of the king on the subject we do not learn : it is plain that he did not put an end to the negotiation, till after Laud had informed him of the repetition of the proposal ; and that he then forbore to visit it with any exemplary marks of his royal displeasure, although the fact of a foreign ambassador being implicated in this dangerous intrigue seems at once the basest and the most impolitic of all reasons for passing it over thus smoothly. With respect to the proposal itself, supposing it to have been seriously made and authorized by the pope, which may still be doubted, it argues that the catholic potentates of Europe, regarding arbitrary power as firmly established in England by the suppression of parliaments, flattered themselves that popery would not be slow to follow in its train. They seem to have imagined that the fiat of a prince would still be of force, as under the rule of the Tudors, to change the religion of the nation ; and the ambiguous conduct and flattering language held by Charles towards the catholics, together with the innovations introduced into the church by Laud under his sanction, gave them hopes—delusory ones as it proved,—that by timely offers of support to the king and a tempting bait to the ambition of the primate, this fiat might be obtained. Either Laud himself, or some of the agents in this transaction, were less secret

than the nature of the business required ; and the alarms and disaffection of the puritans were exasperated by a half-accredited whisper of the strange and odious proposition. Hobbes in his tractate " *De Cive*," printed in Paris in 1642, alludes to such a rumor, but the diary of the archbishop not having yet been made public, he naturally considered himself as authorized to treat it as the most absurd and malicious of party calumnies. Laud might perhaps relinquish with a sigh the attainment of that illustrious rank in the hierarchy of Europe which Wolsey had achieved ; yet, on reflection, the independent dignity of primate or patriarch of the British isles, to which he aspired, might seem a prouder station than any which a sovereign pontiff could confer ; and in the state and splendor which he loved, he took care that even that pontiff should scarcely go beyond him. A celebrated puritan libel of the day, amid its vehement invectives against the pomp and pride of the prelates, supplies us with the following traits, delineated indeed by a hostile hand, but evidently from the life.

" Take notice of the sumptuosity of their service at their meals, their dishes being ushered in with no less reverence than the king their lord and master's ; their sewers and servants going before and crying out ; ' Gentleman, be uncovered, my lord's meat is coming up.' So that all are forced to stand uncovered to his platters, and no more state can there be in a king's house. To say nothing of the bishop of London that was put into his office with such supreme dignity and incomparable majesty, as he seemed a great king or mighty emperor to be inaugurated and installed in some superlative monarchy, rather than a priest ; having all the nobility and the glory of the kingdom waiting upon him. But see the prelate of Canterbury in his ordinary garb riding from Croydon to Bagshot, with forty or fifty gentleman all mounted attending upon him ; two or three coaches, with four or six horses apiece in them, all empty, waiting on him ; two or three dainty steeds of pleasure most rich in trappings and furniture likewise led by him ; and wherever he comes his gentleman-ushers and his servants crying out, ' Room, room for my lord's grace ; gentleman be uncovered, my lord's grace is coming !'. Again, if you should meet him coming daily from the star-chamber, and see what pomp, grandeur and magnificence he goeth in ; the whole multitude standing bare wherever he passeth, having also a great number of gentlemen and other servants waiting on him, all uncovered, some

of them carrying up his tail others going before him, calling out to the folks before them to put off their hats and give place tumbling down and thrusting aside the little children a-playing there, flinging and tossing the poor coster-mongers and souce-wives fruit and puddings, baskets and all, into the Thames (though they hindered not their passage). you would think, seeing and hearing all this, and also the speed and haste they make, that it were some mighty proud Nimrod, or some furious Jehu, running and marching for a kingdom, rather than a meek, humble and grave priest.”*

It may be added, with reference to this part of Laud’s character, that he willingly accepted from the sycophancy of the university of Oxford in their Latin epistles to him, the titles of “Sanctitas tua,” “Summus Pontifex,” “Spiritu sancto effusissime plenus,” “Archangelus, et ne quid nimis,” “Quo rector non stat regulus,” &c. ; and that on his trial he justified the use of these and similar forms of address towards the sacred order of bishops, by the examples of St. Augustine, St. Gregory the great, and other popes and fathers of the church.†

Wentworth, meantime, had been laboring with no inferior zeal in the province committed to his charge. More perspicacious than his master, who long persisted to believe in the possibility of arguing or entrapping men into the surrender of their dearest rights, he had lost not a moment in giving strength to his authority by causing the militia to be embodied and disciplined, after which he securely proceeded in exacting to the utmost, compositions for knighthood, fines for recusancy, and all other arbitrary, or odious impositions, and by such means he was speedily enabled to boast, that under his administration the royal revenue from the Northern counties had been more than quadrupled. Nor did he as yet find cause to complain of any want of that countenance and co-operation which a minister like himself might reasonably expect from a government by which service of such a nature was required. For no other offence than neglecting to make due obeisance to the lord-president at a public meeting, Henry Bellasis, the son of lord Faulconberg, was visited, at the earnest request of the offended party, with a month’s imprisonment. At his instigation and solicitation also, sir David Foulis, who was accused, falsely as he contended, of having

* *The Litany of John Bastwick, Doctor of Physic, 1637.*

† *Troubles and Trial*, pp. 294, 325.

spoken with disrespect of the council of the North, and indulged in certain insinuations against its president, and who had without doubt encouraged some of his neighbors to resist the composition for knighthood, was prosecuted in the star-chamber ; deprived of his offices of member of the council of the North, deputy-licutenant, and justice of the peace ; fined 5000*l.* to the king and 3000*l.* to Wentworth ;^{*} commanded to make public acknowledgment of his offence both against the king and the president, in the star-chamber, and in the court at York ; and sentenced to imprisonment during his majesty's pleasure. A judgment so gratifying to the arrogant and vindictive temper of his opponent, that he could not restrain himself from returning to all the members of the court by which it had been pronounced, thanks which ought to have been regarded as alike disgraceful to the bestower and the receiver.

But what was of more importance to the views of Wentworth, his master had taken notice of his capacity, his vigor, and his thorough-going obedience ; and he received their reward in the appointment of lord-deputy of Ireland. It was conferred upon him on the recall of lord Falkland, a less apt instrument of tyrannic rule, in January 1632, though certain reasons induced him on various pretences to delay his voyage to that island till the July of the following year.

It was now three years since the king had given his assent to the graces, and the Irish had already paid up the last instalment of the 120,000*l.* which was the valuable consideration stipulated on their side ; but the promised fruits of their liberality were still, for the most part, withheld ; and what was still more alarming, no prospect yet appeared of the assembling of the parliament, to which they looked for the solemn acknowledgment and ratification of their rights civil and religious. The nation was full of faction and discontent ; the king possessed no independent means of keeping on foot such a force as experience had proved indispensable to the maintenance of the public peace of that kingdom ; that the people could be either coerced or deluded into the granting of any further supplies excepting in a constitutional, that is, a parliamentary manner, seemed a vain hope, and a parliament the king was still obstinately bent on refusing them.

To accept with cheerfulness and alacrity the government of Ireland at such a crisis, required all the conscious ability, all the vigor, and it may be added, all the remorselessness of Wentworth's character ; but to him, the line of policy to be pursued appeared obvious, and its execution easy. Holding

it for a maxim that the Irish were still to be viewed as a conquered and subject people, he proposed, by shaking, as it were, the scourge of discipline over their heads, to admonish them, that it was their place rather to acknowledge with thankfulness the mercy of their lord and master in the privileges he had left them, than to press for the extension of such as it pleased him still to withhold. It is true, that it was at the same time his intention to confer real benefits on the country over which he was to preside by the repression of all subaltern tyranny, all abuse which brought no revenue to the crown, and also to advance its wealth and prosperity by the encouragement of trade and industry, and the introduction of various arts and manufactures. But in all his measures he took a pride in declaring, that the profit of his king should ever be his chief, or rather his sole motive of action, and he held out to Charles the flattering hope, that henceforth he should be enabled to draw from this island a great, a certain, and an augmenting revenue,—not only without the slightest concessions to the wishes and claims of the people, but by means which should at the same time render him, in this island at least as absolute as any prince in Europe. The results of this system, and the effects of the temper and manners of him with whom it originated, on all who came within the sphere of his influence, will amply appear in the sequel by numerous extracts from his official and private correspondence,—an invaluable collection of documents for the illustration of the characters and events of this momentous period.

Meantime, the crusade against puritanism long since proclaimed at court was pursued with still increasing activity; and it is matter of some curiosity to observe the variety of forms in which the warfare was carried on. Laud enforced his darling ceremonies with redoubled zeal: at his desire, communion tables were by an order of council directed to be removed from their central situation to the east end of churches, railed in, and restored to the Romish appellation of altars; and ministers and churchwardens were fined, and even excommunicated, for any neglect of obedience: Evening lectures and extemporary prayer were strictly suppressed, and what was more harassing than all the rest, the clergy were commanded to republish king James's Declaration in favor of Sunday sports, which had hitherto remained almost a dead letter, by reading it in their respective churches. The immediate pretext for this injunction was an order somewhat irregularly made by the judges of assize in Somersetshire,

some months before, for the suppression of the anniversary dedication-feasts of churches, customarily held on a Sunday, but which had been complained against by the stricter sort as a fertile source of intemperance and disorder amongst the peasantry. Chief justice Richardson, being summoned before the council on this business, and commanded to reverse his order, received at the same time from Laud, who regarded it as an encroachment on the jurisdiction of the ordinary, "such a rattle," says Heylyn, "that he came out blubbering and complaining that he had been almost choaked with a pair of lawn sleeves." But the distress and annoyance which it could not fail to occasion to the puritan clergy,—all, to a man rigid Sabbatarians, was no doubt the real inducement to this measure ; and it fully answered its unwise and uncharitable purpose. Many who in their hearts abhorred the command, complied with reluctance and compunction ; many, by a courageous refusal, incurred suspension, deprivation, or the necessity of banishing themselves their country ; in either case it operated as an effectual test, and left to those who were the objects of it no alternative between the vengeance of power on one hand, and the anger and contempt of their own party on the other.

The court exhibited at the same time an unabated ardor for those amusements which had been the chosen objects of Pryn's vituperation ; the queen entertained her consort with a representation of Fletcher's Faithful Shepherdess ; and it was suggested to the members of the four principal inns of court, that to present the king and queen with the solemn pageantry of a grand mask, would be received as an acceptable proof of their loyalty and orthodoxy. The hint was taken, and a committee formed for the business, comprising amongst others the grave and distinguished names of Noy, Hyde, Whitelock and Selden. From a long and somewhat pompous account of this spectacle supplied to us by Whitelock himself, it appears to have been of almost unrivalled cost and splendor. Henrietta had sufficient tact to reward their pains by dancing with some of the maskers herself, and to "judge them as good dancers as ever she saw ; and the great ladies were very free and civil in dancing with all the maskers." She even hinted a wish to see the exhibition repeated, in consequence of which the lord-mayor invited their majesties and the maskers into the city, "and entertained them with all state and magnificence." Whitelock mentions, that one of the anti-

masks exhibited on this occasion was a satire on certain patentees or projectors, as they were called,—whose country was indicated by an accompaniment of bagpipes,—by means of whom the pernicious abuse of monopolies had arisen under another name to a greater height than ever. “And it pleased the spectators the more,” he adds, “because by it an information was covertly given to the king, of the unfitness and ridiculousness of these projects against law : and the attorney Noy, who had most knowledge of them, had a great hand in this antimask of the projectors.” This passage is remarkable, and may serve to evince the strong dislike to the financial schemes which the false measures of the king had compelled him to adopt, entertained by the very ministers employed in carrying them into execution.

William Noy, the son of a Cornish yeoman, had early entered at Lincoln’s inn, and zealously devoted himself to the study of the law, in which he attained a high reputation both for ability and learning. In the two last parliaments of James he had represented the borough of Helston, and in the two first of his successor, that of St. Ives in his native county, and under both reigns showed himself firmly, and strenuously opposed to the encroachments of prerogative. In all the proceedings relating to the petition of right, in particular, he had taken a distinguished part. But the lure of professional advancement proved in the end too tempting for his integrity and patriotism to resist. In the year 1631 he was, “by great industry and importunity from court, persuaded to accept that place for which all other men laboured, being the best, for profit, that profession is capable of,—and so he suffered himself to be made the king’s attorney general.” “The court,” adds lord Clarendon, “made no impression upon his manners,—upon his mind it did ; and though he wore about an affected morosity, which made him unapt to flatter other men, yet even that morosity and pride rendered him the most liable to be grossly flattered himself, that can be imagined. And by this means the great persons who steered the public affairs, by admiring his parts and extolling his judgment, as well to his face as behind his back, wrought upon him by degrees, for the eminency of the service, to be an instrument in all their designs ; thinking that he could not give a clearer testimony that his knowledge in the law was greater than all other men’s, than by making that law which all other men believed not to be so. So he moulded, framed, and pursued the odi-

ous and crying project of soap ; and with his own hand drew and prepared the writ for ship-money ; both which will be the lasting monuments of his fame.”*

Noy however died before the writs for ship-money were issued ; and as the project was then taken up by lord-keeper Finch, and extended in a manner which it seems probable that the superior sense and a knowledge of Noy would have refused to sanction, the odium of this memorable infringement of law and liberty ought perhaps to be shared equally between them.

It appears from Prynne's narrative of the proceedings against him on account of the *Histriomastix*, that Noy exhibited considerable reluctance to prosecute ; and in fact took no step in the business till urged by Laud, who had employed Heylyn to extract the passages regarded as libellous. After the infliction of the barbarous corporal punishments which made a part of the sentence against him, this indomitable spirit addressed to Laud, from the prison in which he was still detained, an indignant epistle respecting the injustice with which he had been treated ; and this the prelate quickly transmitted to the attorney-general with a sharp letter demanding the institution of further proceedings against the writer. Noy sent for the culprit, and required to know whether he confessed himself the author of the letter. Prynne pleaded, that he must see it before he could return an answer. Upon this, Noy put it into his hands ; and having taken occasion to turn his back upon him for a few minutes, gave him the opportunity, which he seized, to tear the paper and throw it out at the window. The evidence against him being thus destroyed, the attorney-general declared it impracticable to proceed, and the disappointed prelate had no resource but to claim, with a bad grace, the merit of a free forgiveness. It is difficult not to ascribe to Noy in this instance, an honorable repugnance to become the instrument of episcopal vengeance against a professional brother whose learning and courage he could not but respect, and from whose political principles it is probable that in his heart he did not widely differ. Laud however in noting the death of Noy in his diary, which took place in August 1634, adds ; “ I have lost a dear friend of him, and the church the greatest she had of his condition since she needed any such.”

Of the moroseness ascribed to this eminent lawyer, a sin-

* *Hist. of Rebellion*, vol. i. p. 129, edit. 1826.

gular instance appears in the following clause of his last will." "All the rest of my estate I leave to my son Edward (who is executor to this my will), to be squandered as he shall think fit : I leave it him for that purpose, and I hope no better from him." The young man did not long survive to verify his father's ill opinion ; he was slain in a duel within two years after.

The death of Noy was closely followed by that of a much more eminent ornament of the same profession, and one whose actings and sufferings in the cause of the English people have secured for his memory the reverence and gratitude of all posterity. This was sir Edward Coke, who expired at his seat of Stoke Pogeys in Buckinghamshire on September 3d, 1634, in his 86th year. It was the extraordinary destiny of this memorable person, after commencing his public career as a legal adviser of the crown, sustaining the part of attorney-general with a spirit of adulation towards the sovereign and acrimony against the accused which did him little honor, and subsequently reaping the reward of his efforts, and attaining the goal of his professional ambition, in the appointment of lord chief justice,—to end his course out of office and unpensioned, the chosen object of royal displeasure, and the most revered champion of popular rights. Yet so remarkable a contradiction to the usual course of events is attributable neither to the turbulence of his spirit, nor to any singularity in his principles or views, but solely to the unprecedented designs and circumstances of the times in which he lived. No one was less addicted than sir Edward Coke to experimental innovations under the guise of reforms. The English law, which had been the sole study of his life, and in which his erudition surpassed all competitors, might almost be called his gospel likewise, so sacred did he hold its maxims and its sanctions. To the regal prerogative, in as far as it was a portion of the law, he was firmly attached ; he was also a friend to the church, as by law established, and no government which had confined itself within the bounds of statutes and precedents could ever have found him in the list of its opponents. If the pride which was a large ingredient in his composition, by rendering him tenacious of all his rights of office, tended to involve him in contests with rival courts or jurisdictions, it was balanced by a love of place, which speedily admonished him, on questions of a personal nature, to recede from claims which he could not establish, or to

yield to encroachments which he found it vain to resist. But he had in his mind a fixed limit beyond which subserviency to the prince, was in his estimation treason to the country, and which no private considerations could tempt him to overpass : which limit was the law. Rather than surrender this bulwark, he had braved to his face the awakened anger of king James, and without an attempt at deprecation had submitted himself to its effects in a suspension from the duties of his judicial office, and from his seat at the council board ; and although he afterwards condescended to appease the private hostility of the royal favorite by some offerings to his rapacity, he had suffered the total loss of place, and of the favor of his prince, imprisonment, and the seizure of his papers, rather than make any surrender of the chartered rights of Englishmen.

The poor and shallow artifice which Buckingham prevailed on Charles to employ, in order to exclude Coke and a few others from seats in his first parliament, has been already mentioned ; but personal exasperation was not needed to point out to him, on his readmission to the house of commons, the path in which it became him to tread. In 1628 he set the seal to his public life by drawing up the memorable petition of right ; and having performed this last service to his afflicted country, he calmly withdrew to await in silence and retirement the approach of the last and great deliverer. The letter of a contemporary supplies a characteristic anecdote of the veteran in his retreat.

“ Sir Edward Coke being now very infirm in body, a friend of his sent him two or three doctors to regulate his health ; whom he told, that he had never taken physic since he was born, and would not now begin ; and that he had now upon him a disease, which all the drugs of Asia, the gold of Africa, the silver of America, nor all the doctors of Europe could cure, *Old Age*. He therefore both thanked them and his friend that sent them, and dismissed them nobly with a reward of twenty pieces to each man.”* He expired pronouncing the words, “ thy kingdom come thy will be done.” Whilst sir Edward Coke was actually lying on his death-bed, sir Francis Windebank, secretary of state, was sent with an order of council to search his house for dangerous or seditious papers, by virtue of which he carried off his commentary on Littleton, to which was prefixed a history of his life written

* Ellis's *Letters*, 2d series, iii. 263.

by his own hand, several of his unpublished works on legal subjects, and fifty-one other manuscripts, one of which was his will. None of these were restored till seven years afterwards, when the long parliament made an order that they should be delivered to his heir ; and several of them, including his last will, were never heard of more.

The reader will recollect that a similar outrage had a little before been perpetrated against sir Robert Cotton : To Charles and his advisers even the fetters of iron in which they had bound the press, appeared an insufficient safeguard to their new system of government, so long as authentic documents, and learned commentaries illustrative of the English law and constitution, were suffered to remain unmolested in the private repositories of antiquaries and jurists !

CHAPTER XI.

1634 and 1635.

Expenses of government supplied by illegal and oppressive means.—Imposition of ship-money.—Designs of the king in equipping a fleet discussed.—Increasing influence of Laud,—his patronage of the clergy.—Instances of their growing power and pretensions.—Death of lord-treasurer Portland,—his corruption sanctioned by the king.—Laud chief commissioner of the treasury.—Juxon made lord-treasurer.—Motives of Laud in this appointment.—Character of Juxon.—French and Dutch refugee churches persecuted by Laud for not using the English liturgy.—Usurpations of Laud over the church of Ireland favored by Wentworth.—Vigorous measures of Wentworth for recovery of church property there.—Irish church articles drawn by archbishop Usher and approved by king James abrogated at the instigation of Laud, and English articles substituted.—Laud gains the queen's favor by obtaining admission for a papal envoy.—Arrival of Panzani.—Scheme for uniting the Romish and Anglican churches,—its failure and the results.—Hostility of Laud to the foreign protestant churches.—Arrival of the prince Palatine.

THROUGH the long intermission of parliaments and the consequent suspension of subsidies, the exchequer had now been brought into such a state that it is probably no exaggeration to affirm that the whole of the supplies required for the public service were raised by means either illegal, irregular, or at least oppressive ; for the revenue of the still unalienated crown lands, together with all that could be derived from purveyance and from wardship,—themselves prerogatives of at least a very vexatious nature,—can scarcely be supposed to have been more than adequate to the demands of what in modern phrase would be called the civil list.

Tonnage and poundage, the principal tax which the English people had been in the habit of granting to their princes for the protection of the seas and the general expenses of government, had now assumed the character of an illegal extortion, the period for which it had been conferred by parliament having long since expired. Composition for knight-

hood, which brought in considerable sums, founded indeed on an undisputed though obsolete prerogative, had been irregularly extended, and perverted, for the first time, into a pretext for severe and arbitrary exactions, and sometimes into an instrument for the chastisement of political delinquencies. The fines for recusancy, on the other hand, were indeed imposed by clear and recent statutes, and Charles, like his father, constantly remitted a very large proportion of their legal amount; yet, partaking in their own nature of wrong and grievance, they could never be collected without expostulation or murmur on the part of the sufferers. Most of the other penalties payable to the crown were imposed by arbitrary tribunals, such as the privy council, the star-chamber, the marshal's court, or that of high-commission; and being usually excessive, either in proportion to the offence, or to the means of the offender,—in which last case they violated the great charter,—or inflicted for acts which were no crimes in the eye of the law,—such as disobedience to royal proclamations, and words of contumely or acts of opposition directed against the oppressions of the times and their authors,—were justly classed amongst the most odious perversions of right and justice. The patents, granted at the suit of rapacious projectors, who bribed the treasury with a small part only of what they were empowered to extort from the public, were notoriously contrary to law, and the objects, as we have seen, of general indignation and complaint. So unproductive however is extortion, even when pushed to the utmost bounds of a people's patience, in comparison with very moderate taxation, skilfully laid and equitably assessed by the representative body, that to defray by these various expedients the necessary current expenses of a state of profound peace, always proved to Charles, though a man of business and a professed economist, a task of the utmost difficulty; and for extraordinaries he was wholly unprepared.

Under these circumstances, that great national arm the navy, had been suffered to sink into a state of extreme feebleness and decay; but the king now adopted a resolution to place it again on a respectable, if not a formidable footing; and in this resolution, combined with his obstinate persistence in the plan of ruling without parliaments, the memorable project of ship-money took its birth.

It is on Noy, as we have seen, that the reproach rests of searching out and setting in array all the ancient precedents which could serve to give a color of right to this exaction;

lord-keeper Coventry also afforded it his support; and sir Robert Heath, chief-justice of the common pleas, being suddenly dismissed, and sir John Finch, a more willing instrument of tyranny, set in his place, a writ was issued in October 1634, addressed to the lord-mayor and commonalty of London, commanding them to fit out a certain number of ships for the royal navy, and to lay a rate on the citizens for the purpose, with power to imprison such as should refuse payment. Similar writs followed, to all the sea-ports. The corporation of London, avoiding to urge the general principle of the illegality of taxation without the authority of parliament, pleaded a special exemption by their charter; but it was overruled, and the next year the imposition was extended over the whole kingdom.

The particular designs or motives by which Charles was impelled to recur to so violent an expedient for fitting out an armament in a time of profound peace, have been variously stated, and still remain rather matter of conjecture than proof. It is indeed certain that both the English and Irish channel were at this time infested by Barbary corsairs, and that Dunkirk pirates occasionally made captures in sight of the British shores. We also know that the fishing vessels both of Holland and France, by frequenting the coasts of Scotland without purchasing a license from its sovereign, had encroached upon that dominion of the seas which James I., destitute as he was of the power to support it, had thought proper to assert in loftier terms than any either of his Scottish or English predecessors. But to repress insults like these, a few cruisers would have amply sufficed, and it is in the political intrigues of the monarch that we must seek adequate causes for the equipment of a fleet.

The paramount importance of those civil contests in which his system of domestic policy served to involve the later years of Charles, have eclipsed from popular view the propensity of this prince to take a busy part in all the concerns of neighbouring states; yet evidence enough remains of his aims and projects, to render his foreign transactions a characteristic and important part of his private history. So far back as during his visit to Madrid, a secret treaty had been commenced for the conquest of the United Provinces by the joint arms of Spain and England. In the event of success a partition was to be made, and the islands of Zealand were to come under the British sceptre. The subsequent rupture between the two courts suspended a design which might have

eventually endangered even the throne of Charles, from the just indignation it was formed to excite in the breasts of a protestant people. After the return of peace the intrigue was renewed, and in 1631 a treaty was actually drawn up and signed by Cottington on one part and Olivarez on the other, which stipulated that in consideration of the interference of king Philip for the restoration of the palatine, a certain number of English ships should cooperate with a Spanish fleet in the invasion of Holland. Some fears however, if not scruples, restrained Charles from giving the instrument his immediate ratification; and the next year changing his views, he entered into a secret agreement to give support to a discontented party in the Netherlands in their design of shaking off the Spanish yoke, receiving in return the transfer of their allegiance. By the infidelity of Cottington this plot was revealed to the court of Madrid, which thus acquired fresh proof of that bad faith with which it had already found so much reason to reproach the British sovereign. Yet the disclosure caused no open rupture; for the king of Spain thought he should best secure his revenge by carrying on to its completion a pending negotiation, in which it was his design first to secure the aid of Charles against the Dutch, and afterwards, by the cooperation of a faction in his cabinet, to baffle and overreach him.

The antipathy entertained by Charles for the principles, religious and political, on which the republic of Holland had been established, joined to the jealousy which its rising commerce was fitted to inspire, might seem a sufficient pledge of his sincerity in that part of his treaty with Spain which had the humiliation of this state for its object; and induce us to give easy credit to the common opinion that it was against the Dutch that his present armament was designed. Yet in a letter respecting the sovereignty of the seas, written many years afterwards by Evelyn, and addressed to Pepys, then treasurer of the navy, the following remark is found. "As for the years 1635 and 1637, you cannot but espy an intrigue in the equipping those formidable fleets; and that they were more to awe the French than terrify Holland. . . . I fancy were no difficult matter to prove."*

Perplexed amid these labyrinths of artifice and intrigue, framed on no intelligible plan, and encompassing no distinct object, we seem reduced to the supposition that Charles ex-

* *Memoirs of John Evelyn, Esq.* vol. ii. p. 225.

erted himself to become master of a formidable fleet with no more definite intention than that of availing himself of whatever opportunity of aggrandizement the situation of any of the neighbouring powers might offer to his ambition, regardless of subsisting leagues or pending treaties. Conduct so fitted to inspire all his contemporaries with jealousy and disgust was ultimately visited with its due penalty in the indifference, if not complacency, with which his distresses and downfall were beheld by every state and potentate in Europe.

After the ineffectual protest of the city of London, ship-money was for some time paid by the people ; not indeed without indignation and murmuring, but without any appeal to the violated charters of the land. In the mean time, however, that spirit of hostility against the government which resulted in open resistance, was silently gathering force from various causes of provocation.

At the court and in the council, the influence of Laud became daily more predominant. This prelate, who gave in his own person an example of the ecclesiastical celibacy which he regarded as edifying, if not obligatory, was free from the ordinary temptations to amass wealth, as he was inaccessible to the ambition of founding a family. No tribe of hungry Villierses followed him in his elevation, exasperating the people by their arrogant rapacity.

But it was soon observed, that with the primate, as with many powerful churchmen, his order stood in the place of wife, children, and relations. For it he was covetous ; for it he was ambitious, arrogant, oppressive ; for it he scrupled not to stretch his authority and credit beyond all due and customary limits ; and being aided in his designs by the prejudices of the king, who seems to have agreed with him in confounding the elevation of the clergy with the advancement of religion, he succeeded in raising this favoured class to wealth, power and consequence absolutely unprecedented since the Reformation. As an inevitable result, it became, with himself, the preeminent object of jealousy, of obloquy, of public odium.

The valuable Memorials of Whitelock afford notices strikingly illustrative of this remarkable feature of the times.

In Michaelmas term 1631, two questions were propounded to the judges on the part of the clergy. First, whether they were bound to find watch and ward like others ? Secondly, whether they could be compelled to take parish apprentices ? —On the first, the judges took time to inform themselves of

the custom throughout the country ; but on the second, they decided that no man was out of the statute. " This case," adds Whitelock, " I have reported because it sheweth somewhat of the temper and expectation of the clergy in that time."

" In the censure of Bastwick, all the bishops then present denied openly that they held their jurisdiction as bishops from the king, for which perhaps they might have been censured themselves in the time of Henry II. or Edward III. But they affirmed that they had their jurisdiction from God only ; which denial of the supremacy of the king under God, Henry VIII. would have taken ill, and it may be would have confuted them by his kingly arguments, and *regia manu*."

Whitelock further informs us, that in the levy of ship-money " great care was taken of the clergy," and from other authority it appears that in case of surcharge they were allowed an appeal to their diocesan. He likewise notices that " Spotteswood archbishop of St. Andrews was made chancellor of Scotland ; and though he was a learned man, and of good reputation and life, yet it gave offence to many that he, being a clergyman, should be invested with that dignity, which they affirmed not to have been done before since the Reformation."

In the year 1635 this eminent lawyer was chairman of the Oxford quarter sessions, and in that capacity charged the grand jury. " I took occasion," he says, " in this place to enlarge myself upon the points of jurisdiction of the temporal courts in matters ecclesiastical, and the antiquity thereof ; which I did the rather because the spiritual men began in these days to swell higher than ordinary, and to take it as an injury to the church that any thing savoring of the spirituality should be within the cognizance of ignorant laymen ; yet was I wary in my expressions, and so couched the matter as it might seem naturally to arise from the subject of my discourse. The gentlemen and freeholders seemed well pleased with my charge."

The death of lord-treasurer the earl of Portland afforded the primate an opportunity of intruding himself in a remarkable manner into one of the most important branches of the civil administration. Cottington, who had long filled the office of chancellor of the exchequer, regarded the white staff almost as his due ; and other competitors had arisen, all men of rank and consequence, when the king declared his inten-

tion of putting it into commission, and to the universal disgust of the laity named the archbishop first commissioner.

The base character of Portland has been already touched upon. During the whole of his administration, his corrupt and venal practices had been the public theme of complaint and reproach, and the heaviest charges brought against him by his contemporaries received several years afterwards a remarkable confirmation by a discovery which also exhibited his royal master as a deep partaker in his guilt.

Amongst the papers found in the king's cabinet when it fell into the hands of the victors at Naseby, and published by order of parliament, was one, as Whitelock informs us, "in which the lord-treasurer acknowledgeth to have received of the king's gift 10,000*l.*, and in gratuities, which some call bribes, 33,500*l.* more, and the king's hand was to it, in allowance of it." Under such a system of authorized iniquity, mismanagement and abuse must of course have pervaded every inferior department; and from the acknowledged pecuniary integrity of Laud and his anxiety to render the king independent of parliamentary supplies, we may believe that whilst his ignorance of the forms of business, and the pride and passion which perpetually broke forth in his demeanor towards persons who resorted to him on the concerns of his office gave just offence to the public at large, it was chiefly by his vigilant fidelity to the interests of his master, that he exasperated the corrupt tribe of court followers and arrayed against him a formidable party in the ministry itself.

Permanently to occupy an office the duties of which were so manifestly incompatible with the devotion of his time and thoughts to the primary objects of his public life, had never probably been the intention of the primate; and after presiding over the commission for a year, he gave a memorable proof of his influence by prevailing upon the king to nominate to the great office of lord high treasurer, William Juxon, bishop of London. In his diary he comments upon the appointment in these terms: "No churchman had it since Henry VII. time. I pray God bless him to carry it so, that the church may have honor, and the king and the state service and contentment by it. And now if the church will not hold up themselves under God, I can do no more."*

His biographer Heylyn, after observing that in this appointment, though of a most upright man, the archbishop was

* *Laud's Troubles and Trial.*

generally conceived neither to have consulted his present ease, for which he should have procured the staff for Cottingham, nor his future safety, for which he ought to have advised the delivery of it to some popular nobleman, such as the earl of Bedford, Hertford or Essex, or lord Say, adds, "But he preferred his majesty's advantages before his particular concerns, the safety of the public before his own. Nor did he want some seasonable considerations in it for the good of the church. The peace and quiet of the church depended much on the conformity of the city of London, and London did as much depend in their trade and payments upon the love and justice of the lord-treasurer of England.

"This therefore was the more likely way to conform the citizens to the directions of their bishop, and the whole kingdom unto them, no small encouragement being thereby given to the London clergy for the improvement of their tithes. For with what confidence could any of the old cheats adventure on a public examination in the court of exchequer (the proper court for suits and grievances of that nature), when a lord-bishop of London sat therein as the principal judge?"* More cogent arguments, it might be thought, could not readily be found for the separation of two offices, than those which are here suggested for their union!

Juxon was at this time known only as a dependent much loved and trusted by Laud, through whose interest he had been chosen successor to himself in the mastership of St. John's college Oxford, in 1621, some years after made a royal chaplain, in 1632 clerk of the closet, and finally bishop of London on the translation of his powerful patron in 1633. Prudence, integrity, and a mild inoffensive conduct guided by plain good sense, appear to have been his characteristics; they were such as could give no jealousy to his protector, whilst they served to reconcile by degrees the public mind to an appointment justly obnoxious. He proved a good and frugal manager for the king during the few years he presided over the treasury, and finally quitted it with a fair reputation, when political circumstances obliged him to resign.

A complete intolerance of all protestant deviation from exact conformity, or uniformity, within the sphere of his authority, was the leading feature of the religion, or rather the policy of Laud. He appears to have been greatly disturbed at the triumphs afforded to the Romish controversialists

* *Cyprianus Anglicus*, pp. 285, 286.

by the differences and separations amongst the reformed themselves ; and having contrived to introduce again amongst the English articles that unauthorized one by which the power of the church to ordain ceremonies and decide controversies of faith is asserted, he was fully determined not to suffer it to remain a dead letter ; but to exhibit to the christian world, and especially to Rome herself, the edifying spectacle of a church, as absolute in authority, as strict in regulation, nearly as imposing in outward show, and above all equally exclusive and intolerant with her own. The unremitting activity and the spirit of detail which belonged to him fitted him in a peculiar manner for the part of a disciplinarian, and scarcely anything was found remote enough or minute enough to evade the relentless scrutiny which he made to himself a duty of exercising.

As early as 1622 he had offered "some considerations" to the lords of the council for the regulation of public worship amongst the English factories and regiments beyond sea, and for reducing the French and Dutch churches in London "unto some conformity ;" and keeping these objects still in view, he was scarcely enthroned at Lambeth when he procured an order in council for the exact observance of the liturgy with all its rites and ceremonies by the factories and regiments in Holland, composed either of Scotch or of English puritans who had fled from the like impositions at home. A chaplain of his own choice was immediately afterwards sent to the factory at Delf with strict orders to report the names of any who should prove refractory ; the former preacher being, says Heylyn, "either dead or otherwise departed to avoid conformity." The better to insure obedience, the church in Holland was formally placed under the immediate jurisdiction of the bishop of London for the time being. "The like course was prescribed for our factories in Hamburgh and those further off, that is to say in Turkey, in the Mogul's dominions, the Indian islands, the plantations in Virginia, the Barbadoes, and all other places where the English had any standing residence in the way of trade. The like done also for regulating the divine service in the families of all ambassadors." "The English agents and ambassadors in the courts of foreign princes," adds Heylyn, "had not formerly been so regardful of the honor of the church of England as they might have been, in designing a set room for religious uses, and keeping up the vestments, rites and ceremonies prescribed by law in the performance of them. It was now hoped that

there would be a church of England in all the courts of Christendom, in the chief cities of the Turk, and other great Mahometan princes, and all our factories and plantations in every known part of the world, by which it might be rendered as diffuse and catholic as the church of Rome.”*

His next exertions were directed against the French and Dutch churches at home, which he sought to regulate by his metropolitan authority without deigning to ask the concurrence of the king in council. As a preliminary he addressed to the French church in Canterbury and the Dutch ones in Sandwich and Maidstone, three questions:—Whether they did not use the French or Dutch liturgy? Of how many descendants they were for the most part born subjects? And whether those born subjects would conform to the church of England? The Kentish congregations, by advice of their cœtus, put in a declinator to these interrogatories, on the ground of privileges and exemptions granted them by Edward VI. and confirmed by acts of council under Elizabeth, James, and Charles himself.

The archbishop, notwithstanding, issued a peremptory order to the Kentish congregations, that such of them as were natives should attend their parish churches, and perform all duties and payments required in that behalf, and that such as were aliens should use the English liturgy as it was, or might be, faithfully translated into French or Dutch.

Ten congregations of protestant refugees then subsisted within the province of Canterbury, and they immediately convoked a synod to consult for their common defence in this emergency. In the mean time the Kentish congregations were advised to seek a respite, by addressing to the primate a petition for his favor and the enjoyment of their privileges. It was answered by him, with all the fierceness of bigotry and the insolence of new authority, in the following terms: That he did nothing but what had been communicated to the king and resolved by the council: That neither the letters patent of king Edward, nor any reason by them alleged, should hinder him from proceeding: That their churches were nests and occasions of schism, which he would prevent: That it were better there were no foreign churches nor strangers in England, than to have them thereby give occasion of prejudice or danger to the church-government of it: That they endeavoured to make themselves a state in a state, and had

* *Cyprianus Anglicus.*

vaunted that they feared not his injunctions ; but that he hoped the king would maintain him in them, so long as he governed by the canons : That the dissipation of their churches, and maintenance of two or three ministers, was not to be laid in the same balance with the peace and happiness of the church of England : That their ignorance in the English tongue ought not to be used as a pretext for their not going to their parish churches, considering that it was an affected ignorance, and they might avoid it when they would : And finally, that he was resolved to have his injunctions put in execution, and that they should conform to them at their peril by the time appointed.

Rebuffed in this quarter, the synod presented a petition to the king. To this no answer was vouchsafed ; but a second was transmitted to him through the hands of the prince of Soubize, who strengthened the cause by pleading the danger of a persecution arising against the reformed in France, as soon as it should be known how their brethren in England were discountenanced and distressed. A speech was also repeated of cardinal Richelieu, to the effect, that if a king of England, who was a protestant, would not permit two disciplines in his kingdom, why should a king of France, a catholic, permit two religions ?

By all these efforts the king was at length moved to consent, that those born aliens, and such other strangers as should hereafter join them, should still enjoy the use of their own liturgy ; but their children born in England were peremptorily commanded to attend their parish churches. This was the rule for the province of Canterbury ; in that of York, where the congregations were more feeble, and found less aid from powerful protectors, the original injunctions, in their unmitigated rigor, were imposed.

But the spirit of Laud was not that of the times or of the people at large, and at the risk of his high displeasure, ministers of parishes and churchwardens, with whom it rested to put the injunctions in force, were found backward to apply the scourge of persecution to brother protestants exemplary for their industry, their regular and inoffensive behavior, and their earnest piety. So long therefore as the congregations besides maintaining, as they had always done, their own poor, submitted without a murmur to the payment of English church dues, to which they were now first rendered liable, their nonconformity usually found connivance and respect. It is even intimated by Heylyn, that in their hearts the greater

part of the English clergy wished themselves equally free with those of foreign churches from the authority and inspection of ecclesiastical superiors.*

Whilst by these and other measures of repression and coercion, the primate exerted himself to establish the plenitude of his metropolitan authority in England, and by gradual advances was encroaching upon the liberty of the church of Scotland, his ambition extended its pretensions to Ireland likewise, and was making still bolder strides of usurpation there.

Long before the departure of Wentworth for his Irish government, a strict league had been concluded between these congenial spirits, in virtue of which we shall find the lord-deputy aiding in delivering up the independent church of Ireland bound and helpless into the hands of the archbishop of Canterbury; and Laud, in return, lending his strenuous and unscrupulous support to all the acts of power by which the lord-deputy aimed at rendering himself despotic in the state. It was indeed in the name of the king and of orthodoxy that Laud was to wield his pontifical supremacy; in the name of the king and his divine right that Wentworth was to trample on the civil rights of his fellow-subjects: but in either case we may detect in the minister the further purpose of gratifying his own haughty and domineering spirit. And although the antipopular prejudices of Charles, his bigotry, and a mistaken view of his own interests, powerfully conspired to draw him into the measures of the confederates, he was much more accessible than either to doubts and fears; and far from being on any occasion the prompter of their enterprises, we shall find him on some, hesitating to lend them his full and avowed sanction.

In the first letter addressed by Laud to Wentworth after his arrival in Ireland, we find him thus expressing himself respecting the obstacles which impeded his career. "I must desire your lordship not to expect more at my hands than I am able to perform, either in church or state. . . . For, as for the church, it is so bound up in the forms of the common law, that it is not possible for me or for any man to do that good which he would, or is bound to do. For your lordship sees, no man clearer, that they which have got so much power in, and over, the church, will not let go their hold. . . . And for the state, indeed my lord I am for *thorough*, but I see that both thick and thin stays somebody, where I conceive it

* *Cyprianus Anglicus*, p. 262, et seq.

should not; and it is impossible for me to go thorough alone. Besides, private ends are such blocks in the public way, and lie so thick, that you may promise what you will, and I must perform what I can, and no more.”*

In some of the acts of Laud respecting the church of Ireland, it is not easy to determine whether he conceived himself to be only performing the part of his majesty's minister or secretary for ecclesiastical affairs, or whether he assumed to himself a kind of metropolitical or patriarchal authority; but in many cases, as when he addressed a chiding letter to the exemplary Bedel, then bishop of Kilmore, for daring to sign a petition against the arbitrary assessment for the maintenance of the army, he certainly usurped the right of speaking in his own name.†

At his instigation, Wentworth caused the communion table to be restored to the station and name of the Romish altar, in the chapel of Dublin castle and the cathedral of that city, and issued peremptory commands to the earl of Cork, vice-treasurer, and one of the most powerful men in the kingdom, to remove a splendid family monument which he had lately erected in the church of St. Patrick in the same city, because it obstructed a similar restoration there. The earl resisted long, though vainly, and the affront was never forgotten. The lord-deputy next procured the university of Dublin to elect Laud its chancellor, who immediately assuming the active superintendence of its affairs, occupied himself in planning new statutes for its government.

In consideration of the continued payment of the voluntary contribution for the maintenance of the army, and in compliance with the *graces* promised to the catholics in return, Charles had consented to forbear for the present the exaction of the legal penalty of twelve-pence the Sunday on such as absented themselves from church; and Wentworth, whilst he confessed that although on account of the seditions and disturbances stirred up by the priests and jesuits, “the introduction of conformity was by far the greatest service which in that kingdom could be rendered to the crown,”‡ was yet desirous of deferring so arduous an undertaking. “To attempt it,” he said, “before the decays of the material churches be repaired, and an able clergy provided, that so there may be wherewith to receive, instruct, and keep the people, were as a man going to warfare without ammunition or arms.”§ His first mea-

* *Strafford Letters*, i. 111.
 † *Strafford Letters*, i. 367.

‡ *Ibid.* i. 133.
 § *Ibid.* 187.

asures therefore were directed to the establishment of a commission for the repair of religious edifices, which had been suffered throughout the kingdom to fall into great dilapidation, and to a general recovery of such tithes and church lands as had become impropriated to laymen. That Wentworth was prompted to this design, in part at least, by a sense of duty, is scarcely to be questioned: in the beginning of his administration he thus expresses himself in a letter to secretary Coke ;—"I will be careful too to vindicate the church from the fraud and covetousness of ill bishops and sacrilegious lords combining together to carry away the patrimony of the church, and by that means leaving God's portion naked and desolate to posterity. . . . I speak this upon the general finding daily that the church hath been impiously preyed upon by persons of all sorts, that I dare say you would be amazed and astonished at it as much as I am, if you were but here amongst us. By means whereof the clergy here are reduced to such a contempt, as is a most lamentable and scandalous thing to see in any christian commonwealth."*

In the prosecution of a favorite object, Wentworth, like Laud, was superior to all dread of provoking enmities, and certainly no respecter of persons. Thus we find that the earl of Cork was again the first sufferer by the ecclesiastical policy of the lord-deputy, who compelled him to disgorge church revenues to the amount of 2000*l.* per annum. For this act of vigor the primate rewards him with vehement applause, somewhat coarsely expressed, and adds, "But if any of them (the bishops), be as bad for oppression of the church as any layman, that I am sure is unanswerable; and if it appear so to you, great pity it is but some one or other of the chief offenders should be made a public example, and turned out of his bishopric. And I believe such a course once held, would do more good in Ireland than any thing that hath been there these forty years."† Immediately afterwards, a certain sir Daniel O'Brian, who held possession of lands to the value of 500*l.* per annum, which he feared that the church would now reclaim, "did so juggle with the bishop (of Killala) underhand" that he compounded the whole interest of the church for a rent of 26*l.* "I got notice of it," writes Wentworth, "sent to the bishop, told him roundly he had betrayed the bishopric; that he deserved to have his rochet (setting the dignity of his calling aside,) pulled over his

* *Strafford Letters*, i. 151.

† *Ibid.* i. 156.

ears, and to be turned to a stipend of four nobles a year ; and so warned his old sides, as I made him break the agreement, crave pardon, and promise to follow the cause with all diligence.”*

But it was characteristic of these high allies, in pursuance of the system which they designated by the term *thorough*, to respect law and justice quite as little as the persons or stations of men. Great part of the impropriations of tithes and bishops' lands in Ireland dated as far back as the dissolution of monasteries and the reformation of religion,† and were doubtless sanctioned by several statutes ; yet there is no appearance that property so circumstanced was intended to be exempted from the reclamations of the church. The king having been prevailed upon to give back that portion of it which had vested in the crown,—not however without a reserved rent,—Wentworth would see no injustice in requiring as much from private persons, though by his own account this was more than could be got “where the common law was chancellor.” In that country, as he afterwards explained himself, usurpations upon the church had been a contagion so widely spread, that scarcely a jury could be procured in which there would not be found some personally interested ; so that “*God's portion*,” to use his own shocking expression, was not “to be recovered, unless a little violence and extraordinary means be used for the raising again as there hath been for the pulling down of it.”‡ Rightly judging that means such as these to be effective must be wielded by him in person, he solicited and obtained from his majesty a “letter of direction” authorizing him, by a daring infringement of the most sacred provisions of the constitution, to take all such causes out of the cognizance of the courts of law, and decide them himself, with the concurrence of his council, in the castle-chamber.

Having thus provided for the temporalities of the church, he proceeded in the same overbearing spirit to regulate her doctrine and discipline according to his own or his friend's opinion of orthodoxy or expediency.

The ecclesiastical establishment of Ireland, richly endowed from early times, and amply furnished with bishops and archbishops, had never under the Romish system been placed in subjection to either of the metropolitans of England, nor had any such yoke been imposed upon it at the reformation.

* *Strafford Letters*, 171.

† *Heylyn's Cyprianus Ang.* p. 253.

‡ *Strafford Letters*, i. 331.

Yet it was so far considered in the light of a colony, that the English articles had been established in that kingdom by royal authority, without the intervention of a national synod or convocation. The Irish bishops and clergy bore with impatience this badge of inferiority ; and when they saw the whole island reduced to a state of tranquillity and civil obedience, they took occasion, in 1615, to hold a convocation, in which they resolved to frame articles and canons of their own for the government of the church of Ireland. The hand of Usher was that principally employed in both ; and such was the deference paid by king James to the authority of this eminent scholar and divine, that when finished they had obtained his immediate and unhesitating assent, and had been in consequence established without the slightest opposition on any part. The articles were 104 in number ; in substance they differed from those of the church of England in little excepting two points of Calvinism ; the positive assertion of the doctrine of predestination, and that of the perpetual obligation of the sabbatical rest. A prescription of twenty years had now lent them its additional sanction, and the high station of their venerable author, to whom, as archbishop of Armagh, the dignity of primate of all Ireland had lately been solemnly awarded, seemed to afford a firm pledge for their present security. But in pursuit of a favorite scheme, still greater obstacles might have failed to shake the courage of the two confederates. Of the approbation, or acquiescence, of the king they were secure, and not less so of the submissive loyalty of the Irish primate ; the wishes or sentiments of the protestant clergy and people, were in their eyes of little or no account.

Along with the Irish parliament of 1634, a convocation was, in course, held ; the spirit of which proved so favorable to the doctrine expressed by the national articles, that both in its higher and lower house a motion was made for their confirmation in that assembly. The proposal was felt to be the more embarrassing because it could not be openly resisted, and the lord-deputy's party were reduced to the necessity of parrying it by the suggestion that such a confirmation would rather weaken than corroborate the authority of articles which had already received all the sanction which the church could afford. This difficulty being thus surmounted, the courtiers moved the primate to allow a canon to be drawn up and passed in expression of their unity with the church of England and approbation of her articles. Usher inadvertently consented ; and it was drawn in such terms, expressing

not merely an approbation, but a reception of that confession of faith, that the primate and his friends had no sooner passed it than they were told, not without some show of reason, that having adopted other articles, they had now, by their own act and deed, abrogated their former ones. Alarmed and indignant at this chicane, the primate and his suffragans protested strongly against it, declaring that they should still require subscription to the articles of the church of Ireland, and the primate again desired from the lord-deputy a confirmation of them. "But," says Heylyn, "he found but little comfort there, the lord-deputy threatening to cause the said confession to be burned by the hand of the hangman; if at least the Scotch commissioners may be believed, amongst whose articles against him I find this for one." Repulsed in this quarter, Usher transmitted to England his complaint and appeal; but the credit of Laud triumphed, as might have been expected, over all that could be urged in a cause which had little but justice to support it; and the independent church of Ireland was abolished at his nod. "And certainly," observes his biographer, who sees nothing in such a victory but honor and profit combined, "the gaining of this point did much advantage the archbishop, conducing visibly to the promotion of his ends and counsels in making the Irish clergy subject to the two declarations, and accountable for their breaking and neglect thereof; that is to say, his majesty's declaration about lawful sports, and that prefixed before the book of articles for appeasing controversies."*

In the diary of Laud is found the following entry under the date of August 30th, 1634. "At Oatlands the queen sent for me, and gave me thanks for a business with which she trusted me; her promise then that she would be my friend, and that I should have immediate address to her when I had occasion." In the ensuing May, he also mentions giving up his "account" to the queen, and that he had received from her "assurance of all that was desired by him." This "great business" which the queen was anxious to compass, and in which the archbishop had been won over to give his assistance, is well understood to have been the reception of an accredited agent from the pope. The ostensible objects of the sovereign pontiff in this mission were, the termination of a long dispute between the secular and the regular priests of England concerning the expediency of placing them under

* *Cyprianus Ang.* p. 255, *et seq.*

the government of a bishop ; and also the decision of the much agitated question of the oath of allegiance, which one party of the priests was willing to accept, whilst it was rejected by the greater number.

But more important motives lurked behind : The ecclesiastical innovations of Laud had excited the ambitious hopes of the court of Rome, in the same proportion as they had inspired indignation and alarm into the Calvinistic party at home, and the reformed churches of the continent. Flattering reports of the Romanizing spirit which had begun to manifest itself in the English establishment had been transmitted by the missionary priests to their superiors : eminent personages both in church and state had been hinted at as already catholic in heart, and ready to become so by profession : the zealous cooperation of Henrietta might be relied upon, and on the whole, the aspect and conjuncture of affairs were such as the Holy Father judged it expedient to send an able politician to witness, to investigate, and to report upon. It was perhaps partly by the bait of some reparation to be obtained for the unfortunate Palatine family through the intercession of the pope, that Charles was at first enticed to give his consent to the appearance of so ominous a visitant at the court of a protestant prince ; and when about Christmas 1634, Panzani, an Italian priest of the Oratory, arrived in this capacity in London, he was received by the king with very distinguished courtesy, though in secret, and welcomed by the queen and her partisans with joy and confidence ; secretary Windebank hastening to assure him that he had nothing to fear from the laws by which capital punishment was denounced against any papal emissary found at large within the kingdom.

At this juncture there were at least two confidential advisers of the crown who had privately reconciled themselves to the church of Rome, Windebank, and lord Cottington, whose treachery to his master in disclosing to the court of Madrid his intrigues with the discontented Netherlanders has been already commemorated. These persons having associated to themselves Montague bishop of Chichester, lost no time in proposing to Panzani a scheme of reconciliation between the Roman and Anglican churches on the principle of a compromise, and it unquestionably appears to have undergone amongst themselves frequent and serious discussion ; by which however this momentous design was not in effect advanced one step nearer to a conclusion. Authorization seems to have been wanting on both sides. Panzani had been strictly com-

manded to abstain from pledging the sovereign pontiff to any definite terms ; and although Montague, who would scarcely have ventured to act without prompting, made no scruple of answering for the concurrence of the English primate, whom he represented as holding back from a personal share in the treaty only through fear or caution, there is no direct evidence that Laud was a party to it, and none whatever that it had been communicated to the king.

But although both should have openly concurred, and had even the nation agreed to the attempt, it is evident, on due consideration of the subject, that the remaining difficulties must still have proved insuperable. " If," said Charles's predecessor, " the pope will give up his infallibility, and his usurping over kings, I can be content to own him for the head of Christendom." This was a concession little becoming a protestant prince to offer, and what nothing but his eagerness for his son's marriage with the Infanta would have extorted from king James ; but still the points reserved were precisely those which the pope would have uncrowned himself by conceding. The church of Rome has always perceived that the vital question between her and protestants is one of authority, and jurisdiction, and consistently with this view of the case, *all or none* has been from the first her proud yet politic motto. No approaches therefore, whether on points of doctrine, of discipline, or of ceremonial,—no conformities, whether in mere externals or in what some would regard as essentials, have ever been considered by her as worthy of encouragement or acceptance, and by nothing has she been more apt to regard herself as disparaged than by proposals of compromise. Thus it happened on the present occasion ; Panzani, for having dared to hold out expectations that the crime of heresy might be, as it were, compounded, was abruptly recalled by his court, and the whole intrigue thus vanished into air. If the primate had indeed been the real originator of this design,—and we may ask what other inference it is natural to deduce from the whole scope of his ecclesiastical policy, crowned by the decisive part which he took in prevailing upon the king to admit an agent from Rome,—he may be thought to have received from its result a lesson by which he profited. The project of reconciliation does not appear to have been resumed ; distinct traces of a jealousy of the growing zeal and boldness of the popish faction are discernible in the behaviour of Laud towards them almost from this time, and the marks of indignation which he

in consequence provoked from the queen and the jesuits, are satisfactory proofs how wide had been their mistake in each other, how severe their mutual disappointment.

Notwithstanding the failure of these designs, it was still an object of importance with the court of Rome to be permitted to entertain an agent in London commissioned to watch over the interests of the church in three kingdoms, and to promote as far as could be done with safety, the cause of proselytism: by what arguments the mind of king Charles could be so far warped as to believe that any interests of his could be served either by suffering the residence of such a person in England, or reciprocally maintaining an agent at Rome, it is difficult even to conjecture; but certain it is, that by anomalously equally strange and disgraceful, a priest of Scottish birth named Con was allowed to succeed Panzani under the character of envoy to her majesty the queen, whilst in return a brother of the duke of Hamilton was accredited to the court of Rome with the title of *her* ambassador! Of the negotiations of Hamilton or their results we hear nothing; but in the letters of the time frequent notices occur of "signor Con," as he was styled, in the character of a busy and mischievous intriguer, who certainly did his part in bringing the religion of the king and the court into suspicion with the people at large, whilst he was himself beheld with feelings of dislike and alarm by the rulers of the national church.

It is not a little curious to observe, that at the very time that the hopes of prevailing upon the pope to intercede for the restoration of the prince Palatine, though a protestant, and to promote the marriage of one of his sisters with the king of Poland, were held out as the motives or pretexts for entering into diplomatic relations with the court of Rome, the high-church principles of Laud were leading him to renounce, in the most offensive manner, all fraternity with this prince's religion. At the entreaty of the queen of Bohemia, a collection for the exiled ministers of the Palatinate was to be set on foot, under the authority of the king's letters patent, which having been already drawn and sealed, were brought to the primate for his further directions. They contained a passage expressing that the cases of these persons were the more to be deplored, since this extremity had fallen upon them for their sincerity and constancy in the "true religion" which we together with them professed, and were bound in conscience to maintain to the utmost of our power, and that these religious and godly men might have enjoyed their es-

tates and fortunes, if, with other backsliders in the times of trial, they would have submitted themselves to the *antichristian* yoke. To this he took two exceptions,—first that the religion of the Palatines, being Calvinistic, both in respect of the interpretation of the doctrine of predestination, and in maintaining the parity of ministers, had no claim to be identified with our “true religion,” which we are bound to defend; and secondly, that the pope’s being Antichrist was a doubtful point of controversy, not fit to be decided in letters patent;—and on his representation of these matters to the king, they were called in and the passage expunged.*

Some months afterwards, Charles Lodowick the prince Palatine came to England in order to solicit in person the aid of his royal uncle, by whom he was received with every mark of respect and affection. Fully aware of the importance of conciliating the favorable opinion of the all-powerful primate, the young prince almost immediately after his arrival, crossed over from Whitehall, where he was lodged in the apartments of the prince of Wales, and joined the archbishop in the evening prayer then solemnly performed at Lambeth; he likewise diligently frequented the morning and evening service in his majesty’s closet, and on Christmas-day received the communion in the chapel royal. But the primate had still his jealousies, and “some busy heads” having put forth a book entitled “A declaration of the faith and ceremonies of the Palsgrave’s churches,” he caused it to be called in “on the same prudential grounds” as the letters patent. “The prince,” adds Heylyn, “was welcome, but the book might better have staid at home, brought hither in Dutch, and here translated into English, printed, and exposed to the public view, to let the vulgar reader see how much we wanted of the purity and simplicity of the Palatine churches.”†

* *Cyprianus Ang.* p. 287.

† *Ibid.* 298.

CHAPTER XII.

1634 and 1635.

Anecdotes and various notices from the Strafford Letters.—Proclamation for regulating prices of provisions,—for the restraining of building in London.—Fines on new buildings.—Extortion practised on vintners.—Sea-coal exported.—hackney coaches.—Sedan chairs.—Death of Carlew;—his character and writings.—Installation of the Garter, and rivalry between Scotch and English.—Trait of the earl of Arundel.—Star-chamber fine on lord Morley.—Love story.—Account of sir Kenelm Digby,—letter of Laud to him.—Percy family,—earl of Northumberland, lady Carlisle and Henry Percy.—Enmity of Laud against bishop Williams, who is prosecuted and heavily sentenced in the star-chamber.—Sentence against Osbaldeston, who escapes.—Proceedings against lady Purbeck and sir R. Howard.—Irish affairs.—Grants to English courtiers,—letter of king to Wentworth respecting them.—Convocation of Irish parliament advised by Wentworth.—Feelings of king regarding it;—successful management of it by Wentworth,—his petition for honors,—king's reply.—Irish parliament dissolved.

THE lord-lieutenant of Ireland, like most considerable men of the time, when absent from court on public employments, engaged an *intelligencer* to inform him of all news public and private. A clergyman of the name of Garrard was intrusted by him in this capacity, and from his and other letters of a similar nature inserted amongst the Strafford "Letters and Dispatches" we gain many interesting notices of the state of affairs, mingled with various anecdotes and traits of manners. Court projects for extorting money, and star-chamber prosecutions, which had often the same purpose in view, form leading topics of the correspondence. The harassing interference of the government with the private concerns of men is frequently exhibited, and there are some facts which indicate the rapid advance then taking place in the accommodations and luxuries of life. A few extracts will illustrate these points.

Great reformation is said to have been effected in the prices of all "achates" (provisions), the lord-mayor, by order of

the council-board, first setting the prices for the city, and then the king, by his proclamation, doing the same for all places near London. Afterwards it is announced that these arbitrary measures had not produced the expected benefit; men would no longer bring their commodities to the London market as before, so that housekeeping was become much more chargeable than it had ever been. This high price of provisions in the capital, which had long been a subject of complaint, had been one of the prettexts, though not the real motive, of some tyrannical acts of Elizabeth, and afterwards of a proclamation of James, against the erection of any new buildings in London, unless on the site of old ones, without a special license, and Mr. Garrard thus writes of further proceedings at this time relative to the same matter.

"Here are two commissions a-foot which are attended diligently, which will bring, as it is conceived, a great sum of money to his majesty. The first, concerning the licensing of those who shall have a lease for life to sell tobacco in and about London, and so in all the boroughs and villages in England; fifteen pounds fine, and as much rent by the year The other is for buildings in and about London since a proclamation in the thirteenth of king James." He adds, that divers had been called *ore tenus* this term, of whom the "most notorious" was Moor, one of the clerks of the signet, who for his buildings in St. Martin's in the Fields was fined 1000*l.* and ordered to pull them all down by Easter, being 42 dwelling-houses, stables and coach-houses, on pain of 1000*l.* more. Some months after, it appears that star-chamber writs had actually gone forth to the sheriff to pull down these houses, and levy on the owner 2000*l.* for not doing it himself by Easter. "And I verily think," says the letter writer, "that they will do both, for he hath carried himself so foolishly and so peevishly, that he deserves little commiseration." Probably he had presumed to make some appeal or remonstrance!

Three years' rent, and "some little rent to the king" additional, was required by the commissioners as a composition, when the buildings were suffered to stand. "How far this will spread," adds Garrard, "I know not, but it is confidently spoken that there are above 100,000*l.* rents upon this string about London; I speak much within compass: For Tuttle (Tothill), St. Giles's, St. Martin's Lane, Drury Lane, Covent Garden, Lincoln's Inn Fields, Holborn, and beyond the Tower from Wapping to Blackwall, all come in

and are liable to fining for annoyances, or being built contrary to proclamation, though they have had licenses granted to do so ; my lord of Bedford's license in this case, as it is said, will not avail him."*

Extortion now descended to humble game. The vintners and tavern-keepers of London were restrained by a prohibition from dressing meat in their houses ; afterwards, some obtained special permission, and at length we find, " 'Tis said that the vintners within the city will give 6000*l.* to the king to dress meat as they did before ; and the suburbs will yield somewhat."† Afterwards however, on the refusal of the vintners to pay to the king an imposition on wines, the interdict was renewed.

Every new branch of commerce, every project or invention was made the subject of a monopoly, under the name of a patent or grant to a chartered company. The first notice, probably, of coal, as an article of export, is conveyed in these terms : " My lords of Dorset and Holland have obtained a beneficial suit of the king, worth better than 1000*l.* a-year a-piece to them, for sea-coal exported to Dunkirk and other places in the late archduchess's country. They found so great a benefit of our coal, which they took by way of prize in the late difference between us and Spain, that they are contented to give four shillings upon the chaldron to have them brought to them." The introduction of a great accommodation of life in London is thus commemorated. " Here is one captain Baily, he hath been a sea captain, but now lives on the land about this city, where he tries experiments. He hath erected according to his ability some four hackney coaches, put his men in a livery, and appointed them to stand at the Maypole in the Strand, giving them instructions at what rates to carry men into several parts of the town, where all day long they may be had. Other hackney men seeing this way, they flocked to the same place, and perform their journeys at the same rate. So that sometimes there is twenty of them together, which disperse up and down, so that they and others are to be had anywhere." In two months after this plan had been established which " pleased every one," from the great reduction it effected in the rates of coach hire, we find mention of " a proclamation coming forth, about the reformation of hackney coaches and ordering of other coaches about London ; 1900 was the number of hackney coaches of London, base lean jades, unworthy to be seen in so brave a

* *Strafford Letters*, i. 206.

† *Ibid.* 262.

city, or to stand about a king's court." If the numbers here given be correct, the progress of luxury in this article had been surprisingly rapid. Rushworth records, that in the first year of king Charles, there were not above twenty coaches to be had for hire in and about London. "The grave judges of the law constantly rid on horseback in all weathers to Westminster."*

In the same year, 1634, we find another project, for "carrying people up and down in close chairs, for the sole doing whereof sir Sander Duncombe, a traveller, now a pensioner, hath obtained a patent from the king, and hath forty or fifty making ready for use.

In May 1634, Garrard mentions "Mr. Thomas Carey's death, and the pretenders to his place in the bedchamber." Thomas Carew the poet, gentleman of the privy chamber and sewer in ordinary to the king, must be the person here alluded to, although his biographers have conjecturally dated his death about five years later. He merits commemoration both as a writer, and as a member of that distinguished society of wits and scholars into which the future earl of Clarendon makes it his boast to have early gained admission.

"Thomas Carew," he says in his own Life, "was a younger brother of a good family, and of excellent parts, and had spent many years of his youth in France and Italy; and returning from travel followed the court, which the modesty of that time disposed men to do some time before they pretended to be of it: and he was very much esteemed by the most eminent persons in the court, and well looked upon by the king himself some years before he could obtain to be sewer to the king; and when the king conferred that place upon him, it was not without the regret even of the whole Scotch nation, which united themselves in recommending another gentleman to it. . . . He was a person of a pleasant and facetious wit, and made many poems, especially in the amorous way, which, for the sharpness of the fancy, and the elegance of the language in which that fancy was spread, were at least equal, if not superior, to any of that time: But his glory was, that after fifty years of his life, spent with less severity or exactness than it ought to have been, he died with the greatest remorse for that license and with the greatest manifestations of christianity, that his best friends could desire."†

* Rushworth's *Collections*, ii. 317.

† *Life of the earl of Clarendon*, fol. edit. p. 9.

It may be remarked, that the *glory*, if so it should be called, of this very tardy repentance, does not extend to the character of Carew in the sole capacity in which he belongs to posterity, since his writings bear no traces of his death, and too many of his life.

His greatest work however, the masque of *Cælum Britannicum*, performed before their majesties at Whitehall, affects, in compliment to the royal pair, a high tone of moral purity, and it affords strains of a rich and noble poesy only surpassed by that of *Comus*. This piece has been claimed for Davenant, and even printed amongst his works, but it bears in every part the stamp of the superior workmanship of Carew. Suckling in his "Sessions of the Poets" gives to this writer an honorable place, next to "good old Ben," but adds,—“he had a fault

“That could not well stand with a laureate,
His Muse was hard-bound, and th’ issue of his brain
Was seldom brought forth but with trouble and pain.”

The reader however, where the result has been finished excellence, will be little disposed to join with rival wits in ridicule of the labor by which his pleasure has been purchased.

On occasion of the installation of two knights of the garter, the earls of Danby and Morton, there was “a secret vye,” between the English and the Scottish lord which should ride through London to Windsor best attended. “But my lord Danby carried it sheer; for he clothed fifty men in tissue doublets and scarlet hose thick laced, twelve foot-men, two coaches set out bravely, and all the ancient nobility of England that were not of the garter rode with him, and many other earls and barons.” There rode with lord Morton a few English noblemen and knights, and some of the equerries, all the rest Scottish lords and gentlemen; and most of the company were supplied with the king’s horses. But what “added much to his show,” and still more it may be thought to the moral interest of the scene, was the attendance of all the Scottish colonels who had shared in the glorious campaigns of Gustavus Adolphus, and had lately come to London in the suite of count Oxenstiern, son of the celebrated Swedish minister; and ambassador of the infant queen Christina.

At the chapter of the order held on this occasion a dispute arose worthy of such an assemblage; and it was ordered “that the officers of the garter who at Windsor the last year eat in

the same room with the king, with their hats on, shall hereafter never eat again in the same room. The earl marshal stood stiff for them, and said it was a dignity to the order rather than any diminution. It suffered much debate, but it was carried by votes, for none concurred with him.”* In a question of punctilio, it can scarcely be doubted that an earl-marshal of the character of lord Arundel would be in the right; whilst his pertinacity in the affairs gives token of the high baronial pride noted in him by lord Clarendon, who says, “he resorted sometimes to the court, because there only was a greater man than himself; and went thither the seldomer because there was a greater man than himself.”†

Of the proportion between offence and penalty observed in the court of star-chamber, we have a striking instance in the report of lord Morley’s case, charged with holding abusive and threatening language towards sir George Theobalds, “punching him on the breast, and catching him by the throat with his hand. All which was said and done nigh to the chair of state, in that room where their majesties were entering.” His lordship appears to have been intoxicated, and his counsel conferred the charge and submitted to the king’s mercy: Yet “the attorney pursues him fiercely, shows his learning and brings his precedents;” they proceed to censure, and all concur in the sentence of 10,000*l.* to the king and 1000*l.* to sir George Theobalds, excepting the lord privy-seal (the earl of Dorset) and the archbishop, who, voting last, sentenced him 20,000*l.* to the king, besides imprisonment in the Tower, “where,” says the reporter, “I leave him.”‡

A curious story occurs, connected with an odious, but not novel, species of royal interference in those concerns of private life which ought to be held most inviolably sacred from such intrusion. One Sutling, whose father had held an office at court, but who was himself known only as a gambler, imagining that he had secured the affections of a young heiress, procured, through some court friend, a letter from the king to her father, sir Henry Willoughby, to give his consent to the match. The young lady however, indignant at his boastful speeches, employed another of her suitors, of the spirited race of Digby, to compel him to sign a disclaimer of his pretensions which she dictated; who, on Sutling’s refusal, fell upon him with “a cudgel which, being a yard long,

* *Strafford Letters*, i. 242.

† *Hist. of Rebellion*, restored edit., vol. i. p. 98.

‡ *Strafford Letters*, i. 336.

he beat out upon him almost to a handful." He likewise gave several blows with his fist to a confederate who accompanied him. Instead of retaliating, Sutling and his friend carried their complaints to court; and a messenger was in consequence sent to bring up, not Digby, but sir Henry Willoughby, and his daughter, when "the whole business of discerning the young woman's affection" was committed to "the lord Holland and sir Henry Vane the comptroller," but still, "she would have none of Sutling." An assault like this, committed, too, against a suitor armed with the royal letter, would have certainly furnished ample matter for a ruinous sentence in the starchamber; yet Digby appears to have escaped with impunity, and his brother sir Kenelm, immediately after the occurrence, went to court and there "avowed to his friends every particle of the business." This circumstance, which implies no ordinary confidence in the strength of his own favor with the highest personages, may give us occasion to look into the life and character of one of the most singular men of his age, a person, according to the happy expression of lord Clarendon, "very eminent and notorious throughout the whole course of his life."

Kenelm, eldest son of sir Everard Digby who forfeited his life for his share in the powder plot, was borne in 1603. We learn on his own authority that he was educated in the religion of Rome, and though too young at the time of his father's death to preserve any recollection of him, he would doubtless be imbued with a veneration for his memory and the cause in which he died, likely to exert a powerful influence over his principles and conduct in later life. In common with the sons of other recusants of distinction about this period, he was sent for education to Oxford, where it was easy, amid outward conformity to the English church, to place a youth under the secret inspection of some one of the disguised priests or jesuits who made that university their resort. It was here that he formed an acquaintance with Laud then dean of Gloucester, which ripened into a lasting and affectionate friendship; but we do not learn whether this prelate had any share in that sincere conversion to the protestant faith which he states himself to have undergone in early life. He followed with ardor the natural bent of his genius towards the sublimer, or more mystical parts of all which was then called philosophy; and the extraordinary acuteness of his mind, aided by a confident spirit and a great flow of language, caused him to be regarded as a kind of prodigy, and compar-

ed to the celebrated Pico of Mirandula, surnamed the Phoenix.

On leaving Oxford, he entered upon an extensive tour in Europe, and made one in the crowd of English who hastened to form a court round Charles and Buckingham during their visit to Madrid in 1623. He was knighted on his return by king James, who felt no repugnance to conferring honors on the heir of the hero and martyr of the powder plot, whilst the son of the injured Raleigh was banished from his presence as an importunate remembrancer.

It deserves mention, as illustrative alike of the man and the age, that Digby increased his celebrity by bringing home from his travels a recipe for preparing a powder for the cure of wounds by sympathy, which made much noise at the time, and which, it may be added, the eminent court-physician sir Theodore Mayern has not disdained to include amongst the articles of his pharmacopœia. Digby afterwards published a single case of a cure performed by it on the person of James Howel the letter-writer, which has been characterized as exhibiting "much charlatanery in the operator, and apparently an artful collusion in the patient."*

In his zeal for the support of the doctrine of sympathies, he became the promulgator of the absurd tale, which has obtained general currency, though authenticated by no other writer, of king James's dread of the sight of a sword, which he assumes to have been caused by the fright of his mother on witnessing the murder of Rizzio. Early in the reign of Charles, sir Kenelm rose into such favor as to be appointed a gentleman of the bed-chamber and a commissioner of the navy and governor of the Trinity House, and impelled by an adventurous spirit, he equipped a squadron at his own expense, and having obtained the king's commission sailed for the Mediterranean, where he attacked the Algerines and rescued many British captives. Also, "upon an injury received or apprehended from the Venetians, he encountered their whole fleet, killed many of their men, and sunk one of their galleasses; which in that drowsy and inactive time was looked upon with a general estimation, though the crown disavowed it."† We may add, that in the dispatches of sir Thomas Roe, then ambassador at the Porte, these vaunted exploits are severely reprobated as contrary to the law of nations, and seriously injurious in their effects to the interests of the British merchants

* *Aikin's General Biography*, article Digby.

† *Life of lord Clarendon*, p. 9.

in the Levant, and an ordinary person might have reaped punishment from them instead of glory and applause. But in Digby were wonderfully united all the gifts of nature, education and fortune which attract the eyes, dazzle the imaginations and overawe the understandings of men ; and which, to their favored possessor, serve not less for defence than ornament. Poets, wits and scholars combined to praise him ; Ben Jonson celebrated his victory at Scanderoon, Suckling in his "Sessions of the Poets" placed him amongst the favorite courtiers of Apollo, and he secured the thanks and praises of his alma mater by presenting to the Bodleian a large collection of books, comprising valuable manuscripts, the legacy of his Oxford tutor.

After his return from the Levant, he seems to have revisited France ; but we are too little informed of the circumstances of his life at this period to judge decidedly of the justice of the accusation, afterwards brought against him by the long parliament, of having been the person through whom the offer of a cardinal's hat was conveyed to Laud. The archbishop in his diary adverts to this emissary as "having relation to some ambassador," which seems rather to mark him as a foreigner ; and the fact that after this time he regarded Digby as still a member of the church for which he had deserted that of Rome, seems almost conclusive against the charge. Subsequently we find him again in France, where the efforts of Romish theologians, aided by his own early impressions, and by the turn for prodigy and mystery which was the darling foible of his mind, were successful, after a short struggle, in reconverting him to the faith of his fathers. A letter addressed to him by Laud on this occasion, and included amongst his published writings, is a piece worthy of some notice. It is written with a tone of friendliness, mildness, and candor which on a similar occasion would do honor to the dignitary of any church, the leader of any sect. Sincere sorrow he expresses that "a man whose discourse did so much content" him, should have slid away from him before he was so much as awakened to a suspicion that he was going. "Had you put me into a dispensation," he adds, "and communicated your thoughts to me before they had grown up into resolutions, I am a priest, and would have put on what secrecy you should have commanded. A little knowledge I have (God knows a little), I would have ventured it with you in that serious debate you have had with yourself. I have ever honored you since I knew your worth, and I would have done all good offices

of a friend to keep you nearer than now you are. But since you are gone, and settled another way before you would let me know it, I know not now what to say to a man of judgment and so resolved : For to what end should I treat, when a resolution is set already ? So set, as that you say no clear and evident proof can be found against it : Nor can I tell how to press such a man as you to ring the changes in religion. In your power it was not to change ; in mine it is not to make you change again. Therefore, to the moderation of your own heart, under the grace of God, I must and do now leave you for matter of religion ; but retaining still with me, and entirely, all the love and friendliness which your worth won from me ; well knowing that all differences in opinion shake not the foundations of religion.”* It is curious to contrast these sentiments with those which the primate evinced towards protestant nonconformity. With respect to Digby, this relapse into a proscribed faith was attended by no sacrifice of worldly advantages ; on the contrary, it augmented his personal importance by restoring to him his hereditary influence, and rendering him in some degree the hero of a formidable and busy faction. The queen received him to a distinguished place in her favor and confidence, and henceforth political intrigue was added to the other subtle and mysterious sciences in which he delighted to bewilder and delude himself and others.

Kenelm Digby was the author of numerous works in various branches of philosophy, which displayed acuteness and ingenuity, but alloyed with much of the visionary and absurd, much of credulity and not a little of the spirit of imposture. They have long fallen into complete neglect, and their author, like some vaunted actor, may be said to have left nothing to posterity but the fact that such a man was once the talk and the gaze of his contemporaries.

The great family of Percy possessed at this period no less than three members, children of Henry ninth earl of Northumberland, all deserving of commemoration amongst the public characters of the reign. These were, Algernon who inherited the family honors, Henry, and Lucy countess of Carlisle. There was another sister also, married to Robert Sidney earl of Leicester, an alliance which whilst it served as the cement of a truly fraternal intimacy between the earls of Leicester and Northumberland, rendered her the mother of a

* *Troubles and Trial*, p. 614.

memorable offspring,—Algernon Sidney, and Waller's Sacharissa, who became countess of Sunderland.

Algernon Percy, born in 1602, had been called up to the house of peers in his father's lifetime on the accession of king Charles; he succeeded to the earldom in 1632, and the following year attended the king on his progress to Scotland. In 1635 he received the garter through the interest of his brother with the queen. "Henry Percy," writes viscount Conway to the lord-deputy of Ireland, "hath lately had a fortunate occasion; the earl of Mar dying, he spake to the queen to speak to the king to give the garter to his brother, and to make it her act solely, that the thanks may be only hers. So she did; and when the earl of Northumberland kissed the king's hand for his favor, no man knew the cause.* We are told, of his installation, that "never subject of this kingdom rode better attended from his house than he did, nor performed the business more nobly or more sumptuously." "The garter," it is added, "is grown a dear honor, few subjects will be able to follow this pattern."† In fact it was followed by none; this being the last cavalcade of that kind. He was next called to the privy council. Soon after, the king having equipped, with the produce of ship-money, a fleet of sixty sail, gave the command of it to this earl, who, on appointing his captains, gave token of an uncourtly zeal against popery, by persisting in administering to them the oath of abjuration as well as that of allegiance, a test which seems to have excluded sir Kenelm Digby and another of that family from the service. Northumberland then proceeded on an action which appears scarcely worthy of so great an armament, the attack of the Dutch herring-boats fishing off the English coasts, many of which he took or destroyed, and brought their government to purchase a license to fish of the king of Great Britain, for which they paid, or rather promised to pay, a sum of 30,000*l*.

The next year the earl was appointed lord high admiral. On the breaking out of the civil war we shall find him siding with the parliament, and performing an important and honorable part; he was anxious, however, for a pacification on principles of mutual concession, and Clarendon informs us that by the restoration of his office of admiral, the king might have regained him. And his subsequent tergiversation confirms the fact. We ought however to take with grains of al-

* *Stafford Letters*, i. 363.

† *Ibid.* i. 427.

lowance the character drawn for him by the pencil of this writer. After mentioning him as the chief of all those who having been of the king's council, stayed and acted with the parliament, as well in respect of his family, his fortune, his high office, and "the general reputation he had among the greatest men," the historian sums up the king's favors to him, and then adds: "He was in all his deportment a very great man, and that which looked like formality, was a punctuality in preserving his dignity from the invasion and intrusion of bold men, which no man in that age so well preserved himself from. Though his notions were not large or deep, yet his temper and reservedness in discourse, and his unrashness in speaking, got him the reputation of an able and a wise man; which he made evident in the excellent government of his family, where no man was more absolutely obeyed; and no man had ever fewer idle words to answer for; and in debates of importance, he always expressed himself very pertinently. If he had thought the king as much above him, as he thought himself above other considerable men, he would have been a good subject; but the extreme undervaluing those, and not enough valuing the king, made him liable to the impressions which they who approached him by those addresses of reverence and esteem which usually insinuate themselves into such natures, made in him,"* &c.

Sir Philip Warwick says of this lord, that "being a graceful young man, of great sobriety and regularity, and in all kinds promising and hopeful to be an ornament to the crown, the king cast a friendly, nay fatherly eye upon him, and was observed to use him with respect as well as kindness." It seems then, that in joining the party opposed to the arbitrary measures of the king, the earl of Northumberland was not actuated by any private resentment; though from other personal motives he might not be free.

Henry Percy and his sister were both courtiers on what was called the queen's side. Lady Carlisle was a distinguished beauty, wit, and political intriguer, nor is her memory free from the suspicion, at least, of gallantry; no court lady of her time was equally celebrated or conspicuous. She was flattered in French by Voiture, and in her native tongue by almost all the contemporary wits and poets, and more especially by Waller in verse, and in prose by that singular and mysterious person, sir Toby Matthew; who composed an

* *Hist. Rebel.*, restored edit. iii. 552.

elaborate character of her which is sufficiently hyperbolical to wear some appearance of irony; especially in the eulogium which he seems to bestow upon that arrogant scorn with which it was her practice to treat persons of every rank. Either through the interest of her husband, or that of her cousin, and perhaps lover, lord Holland, the joint negotiators of the royal marriage, lady Carlisle was early appointed to a high office in the household of the queen; and notwithstanding occasional quarrels, such as could scarcely fail to arise between two ladies so distinguished for high spirit, she long enjoyed, and singularly abused the favor and confidence of Henrietta. Wentworth is supposed at one period to have stood high in her good graces; and it is manifest from the correspondence of this statesman with Laud, that even the rigid primate paid homage at her shrine as a presiding power in that court over which he sought to establish his sway. "I will write to my lady of Carlisle," says the lord-deputy, "as your grace appoints me. In good sadness I judge her ladyship very considerable, for she is often in place, and is extremely well skilled how to speak with advantage and spirit for those friends she professeth unto, which will not be many. There is this further in her disposition, she will not seem to be the person she is not, an ingenuity I have always observed and honored her for." And again: "I have writ fully to my lady of Carlisle, and am very confident, if it be in her ladyship's power, she will express the esteem she hath your lordship in to a very great height."

A letter from viscount Conway to Wentworth dated in January 1634-5 gives a lively sketch of the temper and position both of this lady and her brother Henry.

"My lady of Carlisle, upon the end of the progress was long from the court at my lord's house in the Strand, but it was because she took physic, and my lord was sick, having taken cold. Now, and a long time, she hath been at Whitehall as she was wont to be, which is as when you left her: But she is not now in the masque. I think they were afraid to ask and be refused, and she would not offer herself. Henry Percy and my lady have had unkindnesses, and he and my lord of Carlisle. Mr. Percy is a diligent courtier, his chief patron the duke of Lenox; his addresses are most on the queen's side; but I cannot find that he gains much love anywhere. He had a quarrel with my lord Dunluce this last summer, out of which he came not so handsomely as did become Henry Hotspur; I believe he will not make any great profit by the court, be-

cause he begins the *Paternoster* with, 'Give us this day our daily bread.' His wits did long *abominare* upon projects in Ireland, and I believe they are not all yet at an end, there being little hope for him here, now that he hath missed going ambassador into France. There was unkindness between his sister and him; what the words were I know not, but I conceive they were spoken on the queen's side, where there never will be perfect friendship. For, my lady of Carlisle will be respected and observed by her superiors, be feared by those that will make themselves her equals, and will not suffer herself to be beloved but of those that are her servants."*

Notwithstanding the "little love" which Percy at this time excited, and the doubt thrown on his courage, we shall find him in the sequel recommending himself to the king and queen by a daring, though unfortunate enterprise. He was created lord Percy of Alnwick in 1643; was much consulted by the king in military affairs, and afterwards became lord chamberlain to Charles II. during his exile. It is probable that he derived from his father some taste for the exact sciences, since it was he who introduced the philosopher Hobbes to his master, at Paris, as a teacher of mathematics. Lord Percy died at Paris unmarried in 1659.

Among the chosen objects of hatred and persecution to the archbishop, there was one who stood preeminent; and his animosity towards this individual it must have been difficult, if not impossible, for him to disguise to himself under any pretext of zeal for religion or attachment to his prince. Bishop Williams, the dismissed lord keeper, was to Laud the Mordecai sitting at the king's gate, who marred all the enjoyment of his present greatness. It was not enough to have driven him from his judgment-seat;—to have caused the king to exclude him from his presence and expunge his name from the list of his privy councillors;—so long as he continued to flourish under the frown of power, governing his diocese in peace and maintaining at his palace of Buckden that open hospitality to which his temper and his policy alike inclined him,—but especially, so long as by retaining his deanery of Westminster he secured to himself a lawful cause for visiting London, and keeping up his court connexions, he was still formidable, still a stone of offence to be removed by any means which offered.

* *Strafford Letters*, i. 363.

Williams, it must be confessed, was little disposed to conciliate his powerful adversary by compliance or submission. On the contrary, he contested, though vainly, the claim of the metropolitan to visit his diocese, which he affirmed to be exempted by ancient bulls; he published a tract, not the less galling for the wit and sound learning with which it was seasoned, entitled, "The holy table," and aimed against Laud's favorite superstition concerning altars; and neither threats nor promises could prevail with him to resign his deanery and cease his visits to the court.

The star-chamber appeared to the primate the only instrument capable of effecting the destruction of an enemy so strongly intrenched in courage, ability, indefatigable perseverance, and, in the main, innocence. Accordingly, through some of his instruments, he caused a bill to be filed against him on a charge of betraying the king's counsels, so frivolous that it was immediately thrown out by the four privy councillors to whom it was referred. The king at this time, on the submission and petition of the bishop, gave a promise that this accusation should never more be heard against him; but by the continual suggestions of Laud, he was afterwards induced to break his word, and to permit it to be made one of the grounds of a star-chamber prosecution.*

In the meantime, further plots were hatching against the devoted bishop. The eyes of politicians and courtiers seem to have watched with anxious curiosity the final event of this tedious struggle, and several hints in contemporary letters show how well its causes and objects were understood. Garrard writes to Wentworth in January 1634-5, that four of the prebendaries of Westminster had exhibited charges against the bishop, as dean, which the king had referred to some of the council; the other eight prebendaries, he adds, "complain not." "Would he have quitted his deanery, perhaps he might have been quiet long since."†

The prosecution was now urged on with greater vehemence than ever. Laud, assisted by Windebank, and sir J. Lamb, engaged by splendid promises one Kilvert, a person of very indifferent reputation, to assume the office of accuser, who, says the biographer of Williams, "interloping into the prosecution of the cause, disturbed it in every point of the due proceeding, left not one rule or practice of the court un-

* *Life of Williams*, part ii. pp. 114, 115.

† *Strafford Letters*, i. 360.

broken, menacing and intimidating witnesses, clerks, registers, examiners, judges, and the lord keeper himself." Williams appealed to the king for redress of these wrongs, but could obtain no permission to call the perpetrator to account. Even when the audacity of the man carried him so far as to declare openly, "that he cared not what orders the lords made in court, for he would go to Greenwich and cause them all to be changed, the lords perceiving upon the archbishop's motion, that it was not safe to punish him, it passed over with a slight submission." Chief-justice Heath, who sat as one of the assessors, complained that "Kilvert threatened to procure him to be turned out of his place for his forwardness;" but this also was "slubbered over with a little acknowledgment of rashness;" and in fact "sir Robert Heath was displaced, and for no misdemeanor proved," and one put in his place "who was more forward to undo Lincoln than ever the lord Heath was to preserve him."

It was the policy of the defendant to gain time; by means of traverses he spun out the cause for a period of eighteen months. Almost incredible violences and iniquities were in the meantime put in practice by Kilvert, with the assistance of secretary Windebank, to deprive the bishop of his just defence: witnesses were thrown into prison to make them tractable, and several of the judges themselves were terrified into rescinding, or altering, an order of their own, and readmitting rejected evidence. One of this number was lord Finch, who on the bishop's asking him why he had so used an old acquaintance, replied; "he had been soundly chidden by his majesty, and would not destroy himself for any man's sake."

In spite of all this violence however, the charge was finally quashed. That it had been first raised and supported by an unworthy combination of suborned and perjured witnesses, seems well established; but it was certainly much less to his innocence than to the interposition of some powerful enemies of Laud, of whom Cottington was the chief, that Williams owed his present deliverance. The king now seemed to mitigate his displeasure, "and hearkened to some conditions to have all the bills against the bishop cast out, and to let him purchase his peace with his purse." In other words, his majesty was inclined to take a bribe from him. Williams, aware that the king alone could protect him from utter ruin by the machinations of the primate, consented to come to terms; those first brought him by Cottington were "to part with 4000*l.* with his deanery, and two inconsiderable commenda."

On the bishop's refusal to give up his preferments, an additional 4000*l.* was required, in lieu of them. "The bishop held up his hands in amazement at it. 'But you will lift your hands at a greater wonder,' says lord Cottington, 'if you do not pay it;'" and he consented to "satisfy the king." "I care not for poverty," said this munificent man, after all had been wrung from him, "but I shall not be able to requite a benefit." "God grant every good king," adds his biographer, "a better than this was, to enrich him."

A pardon was now offered to Williams, in terms more comprehensive than his sense of innocence would allow him to accept of. The affair however seemed concluded on, and was reported to be completed, when Laud hurried to the king and overthrew all. The monarch without restoring the money, broke the conditions on which he had received it, and a new information was brought against the bishop on a charge of tampering with witnesses, in order to shield the character of one who had important evidence to give for the defence in his late cause. Tampering was, it seems, no offence by any law, nor had, this charge the slightest bearing upon the other matters charged against him: Yet the court was occupied ten days in the hearing; the former iniquities, or worse, were repeated, through the instrumentality of Finch; and in conclusion the bishop was sentenced to pay a fine of 10,000*l.*, to be imprisoned in the Tower during pleasure, and during pleasure likewise, to be suspended in the high commission from all his jurisdiction. Laud, who had diligently canvassed the judges of the star-chamber for this sentence, had even pressed for the degradation and deportation of his episcopal brother. In fact, the high-commission had no legal power even to suspend in this case, and as little had Laud to assume to himself, as he did, the whole jurisdiction of the see during this suspension.

The speech of the primate at the sentence, may justly be characterized as one of the most detestable monuments of malice and hypocrisy extant. He praises the endowments and acquisitions of his enemy merely as an aggravation of his criminality, protests that he himself had been five times on his knees to the king to present his petitions and plead his cause, but condemns his pride and stubbornness which would not merit mercy by confessing that he had done amiss, and ends with the most hyperbolical description of his offence, as a sin unheard of in holy writ before the days of Jezabel.*

* See Rushworth's *Col.*, vol. iii. 433, for the speech at large.

"And here," observes the episcopal biographer of Williams, "began the way to episcopal disgrace and declension. It was his turn now, it was Canterbury's not long after. . . . And what became, in three years, or little more, of that honorable court of star-chamber?"

But there was more trouble still in store for the persecuted prelate. No mercy was shown in the levying of his fine: Kilvert was sent to Lincoln and Buckden with an extent,—all his movables were seized, and not the tenth part accounted for; his timber was felled, and his deer killed, his stores of every kind consumed by his prosecutor, who lived in his principal mansion during three summers, and owing to a letter written by Windebank, directing that the juries impaneled to value his benefices, lands and leases should receive no evidence against the king's profit, they were all taken at half their value. In short he was given up for a spoil to his enemies: but Laud still repined that out of the wreck of his fortunes he found means to draw friends around him, and to spread a table in his prison. He now strained every nerve to carry a sentence of deprivation against him on account of his "Holy table." Having first endeavored to incense the king by a false report of its doctrine, in which he failed, he sent it to the attorney-general to be put into an information; but this officer returned for answer that it would not bear it. Next, four bishops and three civilians were sent to the Tower to examine him on a long list of articles; but his courage and presence of mind proved his protection; nothing could be made out against him, and Laud was compelled, however loth, to desist from this attack. But it was only to renew the assault in a different quarter.

By threats or promises the bishop's steward and secretary were won over to betray him; and in the summer of 1637 two letters were brought forward addressed to him by an eminent scholar, Osbaldeston, master of Westminster school, in which the primate was reviled under the names of "vermin," "little urchin," and "meddling hocus-pocus," and Williams was invited to join with the lord-treasurer in bringing charges against him.

It appeared that the bishop had made no answer to Osbaldeston, but to his secretary; he had written, that if the lord-treasurer really desired his aid, he must "use a more solid and sufficient messenger." On production of these letters in the star-chamber, the unfortunate schoolmaster was "sentenced out of all his freehold and condemned to branding," which he

escaped however by concealing himself, leaving behind him a note, that he was “gone beyond Canterbury.” The bishop was condemned in a further fine of 8000*l.*, which was exacted to the uttermost farthing. Nor was this expiation sufficient; he was still detained in prison,—in *close* prison; further interrogatories were administered to him, further proceedings begun, and it was not till after the lapse of three years and a half that on appeal to the long parliament his bonds were broken and this tedious persecution put an end to.*

An affair of a very different nature, but in which the primate equally exhibited the violence and pertinacity of his temper, and his contempt for the boundaries of law, was the case of lady Purbeck. This unfortunate woman was the daughter of sir Edward Coke by lady Hatton, the grand-daughter of Burleigh. Her marriage with viscount Purbeck, the brother of Buckingham, had been the stipulated price of her father’s restoration to the favor of king James; it had been the ground of high dissensions between him and her mother, and was certainly an affair in which her inclinations were the thing least consulted. Soon after the marriage, lord Purbeck became insane, and thus the illicit connexion subsequently formed by his lady with sir Robert Howard, a highly lettered and accomplished gentleman, may seem entitled to all the palliation which the offence admits. But at this time Buckingham had not yet a son, and the apprehension that a spurious child of which his brother’s wife had been delivered, might prove the heir to his honors and estates, excited the favorite to pursue her with all the vengeance of irritated power. No steps indeed were taken for the dissolution of the marriage, the only remedy for the apprehended inconvenience, but in 1627, she was brought into the high-commission, where Laud spoke against her with the severity which he knew would be acceptable to his patron, and she was sentenced, besides other things, to do public penance. From this inexpressible ignominy she was preserved by friends who contrived her escape, and the death of the duke of Buckingham quickly succeeding, she was suffered to remain in an unmolested retirement till this year; when, having unadvisedly visited the metropolis, and there given vent to her feelings in “words full of deep disgrace and reproach”† against the primate, which were duly carried to his watchful

* For all the details of the case of Williams, see his *Life* by Hackett, part ii. p. 115, *et seq.*

† *Cyprianus Ang.*

ear, he caused her to be committed to the Gatehouse. A warrant was also issued against sir Robert Howard, though the former proceedings against him by the high-commission had been annulled by the parliament then sitting. The lady having made her escape, Howard as the suspected contriver of her deliverance was imprisoned by the archbishop's order in her stead, till such time as he should produce her. After a month's confinement however, he was released, on giving a bond of 2000*l.* never to approach her more, and another for his appearance when required. But the vengeance of the prelate against the unfortunate lady was yet unsatiated, and Garrard writes many months after, that she had been heard of in some part of France, "where," says he, "I wish she might stay, but it seems not good so to the higher powers : For there is of late an express messenger sent to seek her, with a privy seal from his majesty, to summon her into England within six weeks after the receipt thereof, which if she do not obey, she is to be proceeded against according unto the laws of this kingdom."*

Lady Purbeck, it is scarcely necessary to say, declined the summons ; she was joined by Howard, and both went over to the church of Rome. The long parliament gave Howard 500*l.* damages against the archbishop, and 250*l.* each against his two assessors, as a compensation for his illegal imprisonment.

It will now be proper to take a rapid view of the administration of public affairs in Ireland, chiefly for the purpose of illustrating from the correspondence of the king himself with the lord-deputy, at once the political principles of Charles and some leading features of his moral character.

It had been much the practice of English princes to grant with extreme facility to their English courtiers, petitions for crown lands and leases, patents, monopolies, military commissions, and all other court favors in Ireland, partly because the sovereign was commonly ignorant of the value or importance of his gift, partly because it had been customary to regard the Irish as a people still "lying at the proud foot of a conqueror," whose business it was to endure with patience such burthens as their masters should be pleased to impose upon them. But Wentworth saw plainly the necessity of cutting off this source of misery to the people, since it was also a cause of impoverishment to the exchequer and embar-

* *Strafford Letters*, i. 447.

rassment to the local government ; and by earnest representations he had labored to draw from his master a promise that no Irish grant should pass, until it should have been referred to him. The following letter of the king dated in October 1633 alludes to this request, and at the same time puts no small price upon his own compliance.

“Wentworth,

“I hope you have found by effects, or, to say better, by the doing myself no hurt, as yet, the answer in part of those letters you wrote unto me. . . . But I must not be so long unassuring of you by my own hand, that which others tell you, the good acceptance of the beginnings of your services where you are, assuring you, that though I am very confident of your good progress in those affairs, yet ye may be confident that great expectation shall so little hurt you, that I shall look upon your services as they shall prove, not according to imaginary propheticall hopes.

“Now as I recommended several persons to you according to the reasonableness of their suits, by my secretaries ; so, having the pen in my hand, and because of their quality, I must name some at this time to you ; to wit, the duke of Lenox, Arundel, and Nithisdale. . . . I recommend them all to you heartily and earnestly ; but so as may agree with the good of my service and no otherwise ; yet so too, as that I may have thanks howsoever ; that if there be any thing to be denied, you may do it, and not I ; commanding you to be confident, until I deceive you, that I shall back you, in whatsoever concerns the good of my service, against whomsoever, whensoever there shall be need.”*

Secretary Windebank soon after writes to the lord-deputy, from his majesty, “What letters soever may be won from him by importunity, his express pleasure is that you depart not from such rules and instructions as have been given you, or you have settled to yourself, for the advancement of his service. Only to free his majesty from harsh and flat denials, you must be content to take upon you the refusing part.”† Probably this was an old compact between sovereign and minister, and what occasioned the desponding Spencer to include in his list of the miseries of a court-sutor,

“To have thy prince’s grace, yet want her peers’ ;
To have thy asking, yet wait many years.”

* *Strafford Letters*, i. 140.

† *Ibid.* i. 160.

Wentworth had no sooner taken a deliberate survey of the state of his island, than he formed a decided opinion both that the summoning of a parliament there was absolutely necessary in order to satisfy the people, and that it would be entirely within his power so to control and manage this assembly as to render it entirely subservient to the purposes of the crown. He determined therefore to hazard this unpalatable proposition in an elaborate letter to the king, and supported it by arguments so well adapted to lull the fears of his master, that Charles, surrendering for once his cherished prejudices, was won upon to accord a half-reluctant consent.

The grand purpose of the meeting was to be the raising of supplies ; and Wentworth set the seal to his apostacy from popular principles by representing to the king, that should there be any refusal on their parts to gratify his wishes to their full extent on this point, "their unthankfulness to God and the best of kings becomes inexcusable before all the world, and the regal power more warrantably to be at after extended for redeeming and recovering your majesty's revenues thus lost, and justly to punish so great a forfeit as this must needs be judged to be in them." Two sessions were to be held ; if in the first, which was to be given entirely to the service of the king, they proved duly tractable, in the second, such of the graces, and only such, as seemed to his majesty and his attorney-general quite free from all tendency to "prejudice the crown," were to be passed into laws ; and yet the deluded people had already paid down the stipulated purchase money for the whole. By the law called Poyning's, the Irish parliament were restrained from taking any subject into discussion without the previous sanction of the English privy council : but even with this bridle Charles felt a jealousy of its proceedings, resulting from a consciousness of his own breach of faith, which strongly appears in the remarks appended by him to Wentworth's proposals. After signifying his will that none should know that two sessions were intended, until the parliament were set, he adds, "And further, we will admit no capitulations nor demands of any assurance under our broad seal, nor of sending over deputies or committees to treat here with us, nor of any restraint in our bill of subsidies, nor of any condition of not maintaining the army ; but in case any of these be insisted upon, and that they will not otherwise proceed, or be satisfied with our royal promise for the second session, or shall deny or delay the passing of our bills, we require you thereupon to dissolve the parliament ;

and forthwith to take order to continue the contributions for our army, and withal to proceed to such improvements of our revenue as are already in proposition, or may hereafter be thought upon for the advantage of our crown."

On the humane and politic suggestion of Wentworth, that "it is to be feared the meaner sort of subjects here live under the pressures of the great men; and there is a general complaint, that officers exact much larger fees than of right they ought to do;" on which account it would be popular for his majesty to make some examples of offenders, and to regulate fees by a commission, Charles remarks: "We approve the reformation of these pressures and extortions by examples, and by commissions, by our authority; but by no means to be done by parliament."

In this parliament protestants and recusants were to be nearly balanced, and to be played off against each other; elections were to fall upon dependents of the crown; the prelates, by royal command to the primate, were to be "directed" by the lord-deputy; and for the English and absentee lords, in the words of the king, "That their proxies may be well disposed, we would have you send with speed the names of those there in whom you repose special trust. And in case your list cannot be here in time, we will give orders that all the proxies be sent to you with blanks, to be assigned there. In general, for the better preventing of practices and disorders, you shall suffer no meetings during the sitting of the houses, save only in public and for the service of the houses by appointment."*

In a subsequent letter the king thus further expresses his jealousies and exhibits his morality: "As for that hydra, take good heed; for you know that here I have found it as well cunning as malicious. It is true that your grounds are well laid, and I assure you that I have a great trust in your care and judgment; yet my opinion is, that it will not be the worse for my service, though their obstinacy make you to break them, for I fear that they have some ground to demand more than it is fit for me to give. This I would not say if I had not confidence in your courage and dexterity, that in that case, you would set me down there an example what to do here."†

The example, however, which Wentworth was ambitious of holding forth to his master was rather that of ruling over

* *Stafford Letters*, i. 182.

† *Stafford Letters*, i. 233.

a parliament, than ruling without one ; and he found in his own audacious and imperious character, a force adequate to the occasion. Having summoned the privy council, he first caused a committee to be named to prepare the bills according to Poyning's law, by which he might discover " how their pulse beat ;" then finding them somewhat disinclined to grant subsidies with all the liberality he desired, and anxious that a confirmation of certain of the graces should precede or accompany their money bills ; " I," says he, " not knowing what this might grow to, went instantly unto them where they were in council, told them plainly I feared they begun at the wrong end, thus consulting what might please the people in a parliament, when it would better become a privy council to consider what might please the king, and induce him to call one." Having then explained at length his sense of this part of the subject, and suggested measures founded upon it, he adds : " In conclusion, I did assume unto them upon my life and the life of my children, that it was absolutely in their power to have the happiest parliament that ever was in this kingdom ; that their way was most easy, no more than to put an absolute trust in the king, without offering any condition or restraint at all upon his will, and then let them assure themselves to receive back unasked all that reasonably and fittingly they could expect, and if this confidence misled them, I would be content they esteemed me, neither a person of discretion, trust, or honor, at after." And be it observed, that he well knew the confidence he claimed would be betrayed ! " Again I did beseech them to look well about, and be wise by others' harms. They were not ignorant of the misfortunes these meetings had run in England of late years, that therefore they were not to strike their foot upon the same stone of distrust, which had so often broken them : for, I could tell them, as one that had, it may be, held my eyes as open upon those proceedings as another man, that, what other accident this mischief might be ascribed unto, there was nothing else that brought it upon us, but the king's standing justly to have the honor of trust from his people, and an ill grounded narrow suspicion of theirs."* The effrontery of this allusion to an opposition in which he had himself borne so conspicuous a part, seems to have astonished, and almost scandalized, both Cottington and Laud. It truly indicated that he was prepared to go all lengths. In fine, his tone and de-

* *Strafford Letters*, i. 237, 239.

meanor struck such awe and terror in the Irish committee, that they submissively declared they would send over no bills but such as should be pleasing to him ; that if he thought good, they would even send over the subsidy bill alone. The lords of the pale who had customarily been consulted with, and allowed to propound popular laws, were insolently dismissed by the lord-deputy with the remark, that the king had no need of their advice. These previous steps being taken, the parliament was opened with the pomp which Wentworth affected as much from pride as policy. His speech to the houses was in the same lofty strain as his address to the committee ; and whilst it was still echoing in their ears he demanded and obtained the extraordinary grant of six subsidies, unshackled by any stipulation for the previous confirmation of the graces.

The results of the second session, from which the Irish were led to expect the reward of their trust and their bounty, and which commenced in the same year, might justly have been an object of apprehension to Charles and his substitute. Faith was to be broken with the people ; and some of the most important graces expunged, and from the basest motives. In particular, both that by which the crown was to be restrained from carrying back beyond a period of sixty years its inquiries into defective titles, and one for securing proprietors of land in Connaught, according to the tenor of an agreement made with them by king James for a valuable consideration, against certain doubtful claims of the crown, were to be withheld, because projects of spoliation had been devised for the profit of the king and his courtiers, which were on no consideration to be defeated. But the vigor and dexterity of Wentworth proved superior to all difficulties. He boldly took upon himself the responsibility of the royal breach of promise by affirming, that he had struck out certain of the graces from the list transmitted to England, and that by the law of Poyning he and his council were invested with this right. On the first symptom of refractoriness in the house of peers, he interposed to curtail their privileges, and wrest from them even the vital one of impeachment ; and in the universal dread and astonishment which he inspired, the name itself of the graces died away upon the lips of Irishmen.

Having thus exceeded the expectations and realized all the wishes of his master, establishing a surplus revenue in the place of debt, and substituting implicit obedience for turbulence and complaint, the lord-deputy judged it time to claim,

what with him was seldom out of view, his reward. That which he now proposed to himself was an earldom : in what terms the suit was urged we do not find ; but it encountered from the pen of Charles himself, the following stern reply :

“Wentworth,

“Before I answer any of your particular letters to me, I must tell you that your last public dispatch has given me a great deal of contentment, and especially for keeping off the envy of a necessary negative from me, of those unreasonable graces that that people expected from me, not in one particular dissenting from your opinion, that is of moment, as I remember, but concerning the tallow, and that but *ad referendum* neither. Now I will begin concerning your suit, though last come to my hands ; and first for the form, that is to say, in coming to me not only primarily but solely, without so much as acquainting any body with it : This I do not only commend, but recommend to you to follow always hereafter, at least in what concerns your own particular. For, to servants of your quality, and some degrees under too, I allow of no mediators, though friends are commendable ; for the dependence must come merely from me and to me. And as for the matter, I desire you not to think that I am displeased with the asking, though for the present I grant it not. For, I acknowledge that noble minds are always accompanied with lawful ambitions. And be confident that your services have moved me more than it is possible for any eloquence or importunity to do. So that your letter was not the first proposer of putting marks of favor on you ; and I am certain that you will willingly stay my time, now ye know my mind so freely, that I may do all things *a mio modo*.”* &c.

The king, it was evident, had the discernment to perceive, what Wentworth expected him to overlook, that to crown the Irish viceroy with honors at this juncture, would be to draw back upon his own head all that weight of obloquy which this officer had made it one of his principal merits to have taken wholly upon himself. At the same time, it may be regarded as no small indication of the temerity almost inseparable from great ambition, that after so frank an exposure of the principles and sentiments of the king on this head, Wentworth should have persevered in hazarding for his service acts of the most arbitrary nature, for which, in any trying emer-

* *Stafford Letters*, i. 331.

gency, it was perfectly evident that he would be left alone responsible.

Proud of the success of his political management, which, he observed, had made the king as absolute there as any prince in the world could be, the lord-deputy was desirous of prolonging the existence of the parliament for future use, after the conclusion of the second session ; and he stated his reasons for this measure with great earnestness to the king and his confidential advisers for Irish affairs. But the force of Charles's prepossessions on this head was not to be overcome, and he thus declared himself in reply.

"The accounts that you gave me are so good, that if I should answer them particularly, my letters would rather seem panegyricks than despatches ; so leaving them, I come to those things wherein you require directions. . . . Concerning two of them I must express my own sense ; to wit, the not continuing the parliament, and the guard of the coast. For the first, my reasons are grounded upon my experience of them here ; they are of the nature of cats, they ever grow curst with age, so that if ye will have good of them, put off handsomely when they come to any age ; for young ones are ever most tractable : And in earnest you will find, that nothing can more conduce to the beginning of a new, than the well-ending of a former parliament, wherefore now that we are well, let us content ourselves therewith."* The chagrin of Wentworth breaks out in his next dispatch to Cottington :—"Concerning my opinion for the proroguing of this parliament, you have plainly heard my reasons, and now obedience is all which is left me ; and so his majesty's pleasure shall be pursued by me, as one of those that after I have discharged my duty, think only how to accomplish what shall at after be commanded me, without dispute. And indeed, in my condition it is the safest when my weak counsels are least followed, for so you leave me much less to account for."† The dissolution took place in April 1635.

* *Strafford Letters*, i. 365.

† *Ibid.* 370.

CHAPTER XIII.

1635 and 1636. •

Forest laws revived and penalties exacted.—Resumption of crown grants in Ireland.—Several counties of Connaught surrender to the king.—Resistance to his claims in Galway, and violent measures of Wentworth in consequence.—Oppression of earl Clanrickard,—his death.—Reflections.—Laud's advice to Wentworth.—Case of lord Mountnorris.—King takes a bribe from Wentworth.—Wentworth received at court and heard in council with great favor, but refused an earldom.—King extorts a great fine from the city of London for their Irish lands, then seizes them.—Expedition against Saltee.—King takes the judges' opinion on ship-money.—Proceedings against such as resist this tax.—Account of Hampden.—Decision of his case postponed.—Sketch of the progress of emigration and of settlement in New England.—Account of sir H. Vane, junior.—Laud's claim of the visitation of both universities awarded him by the king,—he compiles statutes for Oxford,—entertains the king and queen there,—founds Arabic professorship.

ONE of the most obnoxious measures of this period of the reign of Charles, was his attempt to revive the ancient forest laws, and to compel neighboring landholders to compound at high rates for real or pretended encroachments on the wide wastes originally usurped from the cultivators and set apart for the sylvan pleasures of the Norman line of kings. The earl of Holland, appointed chief justice in eyre, now held his courts annually, and the awe and dread which his proceedings inspired may be estimated from a variety of contemporary notices. "My lord of Holland," writes Howell, "passed yesterday through London in the king's coach and twenty more, with some of the guard to attend him, to keep the forest court at Stratford in Essex." "The justice seat in Essex," says Garrard, "hath been kept this Easter week, and all Essex is become forest; and so, they say, will all the counties of England but three, Kent, Surry and Sussex." He adds, as if assigning the final cause of these proceedings: "The commissioners for the treasury sit constantly thrice a week. they look back for five years past, how things have

been carried, and some of them are amazed to see the greatness of the king's debts."*

By these proceedings the earl of Southampton sustained an almost ruinous loss; being despoiled of his manor of Beawley in the New Forest; the circuit of that of Rockingham was extended from six miles to sixty, and enormous fines for encroachment were awarded against several noblemen and other persons of consequence; as, twenty thousand pounds against the earl of Salisbury, nineteen thousand against the earl of Westmoreland, twelve thousand against sir Christopher Hatton. Smaller sums against many others. That meaner persons might not escape the gripe of extortion in their degree, there was at the same time "a commission in execution against cottagers who have not four acres of ground laid to their houses, upon a statute made the 31 Eliz., which," adds Garrard, "vexeth the poor people mightily, is far more burthensome to them than the ship-monies, all for the benefit of the lord Morton, and the secretary of Scotland, the lord Stirling: Much crying out there is against it, especially because mean, needy and men of no good fame, prisoners in the Fleet, are used as principal commissioners to call the people before them, to fine and compound with them." In Ireland spoliation on a grander scale was carried on.

By the forfeiture of an Irish chief in the reign of Edward IV., the whole province of Connaught was asserted to have devolved to the crown. It had since been granted out in parcels by patents which the holders supposed to be as good in law as in equity; but when king James was casting about for the means of civilizing other parts of Ireland by such colonies, or plantations, as he had successfully established in Ulster, the crown lawyers flattered him with the promise of finding, or making, such flaws in these titles as should place all Connaught at his disposal. James, fortunately for himself, was withheld, whether by fear or scruple, from the perpetration of an act of injustice, comprehending within its sweep the lands and livings of one fourth of the Irish proprietors; but neither of these considerations sufficed to restrain the rapacity of his successor. That grace by which the landholders of Connaught were to have been confirmed in their possessions, was, as we have seen, rejected; a commission had been formed, as in England, to receive the surrender of defective titles, and grant valid ones on such terms

* *Stafford Letters*, i. 413.

as the king's mercy should dictate ; and it now became the task of the lord-deputy to compel the whole body to submit themselves to this extortion.

In a letter to the king on this business, the lord-deputy, whose pique seems to have set an edge on his zeal for the service, takes notice that he had not been assisted by "the discovery of any title," either to Connaught or Ormond, by any minister on the English side ; but that he trusts singly "to work through all these difficulties." Accordingly, proceeding at the head of the commissioners to Roscommon, he caused a jury to be returned for trying the king's title, purposely composed of "gentlemen of the best estates and understandings," in order that, if their decision were favorable, it might prove a leading case, and if, on the contrary, they should "prevaricate," that they might "answer the king a round fine in the castle-chamber." The "gracious pleasure of his majesty" to suffer the lawyers to plead freely against his right, was then ostentatiously proclaimed ; and after the counsel on both sides had ended, the lord-deputy summed up with so skilful an alternation of cajolery and menacc, that a verdict for the crown was found without hesitation. In the counties of Sligo and Mayo the same success attended the commission ; in that of Galway the event was different. This county was in a manner totally Irish and catholic ; and the intrusion of English settlers which would result from the surrender of the lands to the king, was a grievance deprecated by the proprietors almost as much as the immediate pecuniary loss to themselves ; they were numerous and united, and being strongly assured by their counsel of the goodness of their cause, they resolved that no enticing examples of submission, no nice calculations of the consequences of resistance, should induce them to surrender what they deemed their undoubted birthright. The jury therefore, two only excepted, "all out of will," as the lord-deputy expresses it, "and accompanied in divers of them with great want of understanding, most obstinately and perversely refused to find for his majesty." Transported with rage, Wentworth immediately, by his own authority, levied a fine of 1000*l.* on the sheriff, for returning what he termed a packed jury, and fines of 4000*l.* each were imposed on the jurymen themselves in the castle-chamber,—a tribunal which now emulated the English star-chamber. Nor did his vengeance stop here. The greatest proprietor in the county was the earl of Clanrickard and St. Albans, a nobleman of distinguished merit and high alliances, the head of

the family of de Burgh or Burke, and who possessed, as president of Galway, a power which, according to the statement of the lord-deputy, in the exercise of it was "found to be little less than that of a count palatine." From jealousy of any authority capable of interfering with his own, mingled probably with some private animosity against this earl, Wentworth was eager to improve the opportunity to the ruin at once of his fortune and his consequence. The earl was at this time in England, and no proof was or could be adduced of any concern of his in the obnoxious verdict; but the jurors were some of them of his kindred; his nephew viscount Clanmorris had been warm in the cause; it might be supposed that he spoke the sentiments of his uncle,—and on these grounds, or pretences, the Irish deputy vehemently urged upon his sovereign such measures as the following: That if the earl should not, within the time limited by a proclamation of grace lately issued, come in and acknowledge the king's title to the lands, he should be peremptorily excluded from any composition whatever,—that he and his son should be restrained from quitting England until the whole business were finished,—that by an exchequer process, for which he had already given orders, the lands of the jurors and all others not complying with the proclamation should be seized for the king,—that before such seizure the fort of Galway should be repaired, more troops marched into the neighbourhood, and the foot-companies of the earl and his son quietly removed from the county:—that "since the dependencies upon the earl were greater than in reason of state ought to be allowed to any subject, especially in so remote a corner of the kingdom, and amongst a people so ill affected," the presidential power should no longer be continued to him, much less to his son, who had it in reversion; "but rather that that government be dissolved, and the country reduced back, as it formerly was, under the provincial government of the president of Connaught." Finally, that the Roman catholic lawyers who had been employed for the county, should be compelled to take the oath of supremacy or give up their profession.*

These actings and suggestions were but too congenial to the temper and maxims of Charles: we find him returning, through secretary Coke, his cordial approbation of the whole, excepting that the reduction of the presidential powers,

* *Strafford Letters*, i. 450, *et seq.*

“ though thought very fit to be provided for in a due time,” was not now seasonable to be done at once.*

The Galway proprietors were not disposed to sit down in silence under these injuries: “ I hear,” writes Wentworth, “ they have sent over agents, forsooth, into England, to what intent I know not, but I trust they will be welcomed as they deserve; it having been anciently the chief art of this nation, by the intervention of these agencies, to destroy the services of the crown, and strike through the honor and credit of the ministers thereof.” Their reception was such as he desired; being brought to the presence of the king at Royston by lord Tunbridge, the son of the earl of Clanrickard, who informed his majesty that they were come to justify themselves and others in a business in which his father had been “ much taxed,” his majesty, though taken by surprise, was prompt to answer by complaints and upbraidings of this sole refractory county; treated the mission of the deputation as a presumptuous perseverance in offence, on which he designed to institute further proceedings, and justified in all points the conduct of the lord-deputy. The deputies were finally sent back to Ireland as prisoners.

Clanrickard survived these proceedings a few weeks only. The lord-deputy, with that unrelenting vindictiveness which no English statesman has pushed so far or disguised so little, thus refers to the event in a letter to the king. “ The last packet advertised the death of the earl of St. Albans, and that it is reported my harsh usage broke his heart: they might as well have imputed unto me for a crime his being threescore and ten years old. But these calumnies must not stay me humbly to offer to your majesty’s wisdom this fit opportunity, that as that cantoned government of Galway begun, so it may determine in his lordship’s person.” He afterwards returns to the charge, observing that the reversion of the government of Galway, granted to the son of the earl in his father’s patent, it being a judicial place, would prove “ clearly void in law, and so nothing in honor or justice” to prevent his majesty from disposing of it as he should now see fit.†

The earl of Clanrickard was the third husband of that daughter and heiress of sir Francis Walsingham who had married in succession two of the most conspicuous ornaments of the court of Elizabeth, sir Philip Sidney, and Robert earl of Essex. He was consequently stepfather to the Essex of

* *Strafford Letters*, i. 465.

† *Ibid.* i. 473, 476, 492, and 493.

Charles's days ; and it has been thought that the inflexibility with which this nobleman refused to concur in any compromise by which the forfeit life of the lord-deputy might be preserved, exhibited a persevering resentment of the insolent and tyrannical acts by which he had embittered, if not abridged, the days of the Irish chieftain. But to "consider the end" made no part of Wentworth's wisdom ; hurried on by his own headlong passions as well as by that system which, in the words of Clarendon, compelled him "upon reason of state to exercise many acts of power," he triumphed in his present success in overpowering resistance and stifling complaint ; nor was he to be recalled to moderation or mildness even by the fears and representations of his own thorough-going associate, Laud.

In a letter written at this juncture, the primate after advising him to spare the earl of Cork the disgrace of a public sentence in the matter of some usurped church lands, which he was to be compelled to restore, thus proceeds : "My lord, I am the bolder to write this last line to you, upon a late accident, which I have very casually discovered in court : I find that notwithstanding all your great services in Ireland, which are most graciously accepted by the king, you want not them which whisper, and perhaps speak louder where they think they may, against your proceedings in Ireland, as being over-full of personal prosecutions against men of quality, and they stick not to instance in St. Albans, the lord Wilmot, and this earl : And this is somewhat loudly spoken by some on the queen's side. And although I know a great part of this proceeds from your wise and noble proceedings against the Romish party in that kingdom, yet that shall never be made the cause in public, but advantages taken . . . from these and the like particulars, to blast you and your honor. . . . I know you have a great deal more resolution in you, than to decline any service due to king, state, or church, for the barking of discontented persons. . . . And yet, my lord, if you could find a way to do all these great services and decline these storms, I think it would be excellent well thought of."* It is a curious trait of human nature, that it was in the heat of his own persecution of bishop Williams, that Laud addressed to Wentworth these exhortations to mildness and moderation.

In Ireland the lord-deputy was often threatened with a Fel-

* *Strafford Letters*, i. 479.

ton or a Ravallac,—but to such a temper threats or warning served but as exasperation, and we shall find him proceeding to acts still more outrageous and scandalous.

Lord Mountnorris, vice-treasurer of Ireland, a man of consequence and long standing, had fallen under the displeasure of the deputy, whose confidence he had previously enjoyed. Wentworth accused him to the king of extortion and corruption, and at his instigation a commission of inquiry had attempted, but in vain, to fix on him this charge. During the state of mutual exasperation produced by these circumstances, it was mentioned to lord Mountnorris, as he sat at the table of the lord-chancellor, that a gentleman of his blood, an attendant on the lord-deputy, had hurt his gouty foot in moving a stool : “perhaps,” remarked Mountnorris, “it was done in revenge of that public affront which my lord-deputy had done him formerly, but he has a brother who would not have taken such a revenge.” These ambiguous words being reported to Wentworth, it was determined to proceed against the speaker, who held a captain’s commission, as “a delinquent in a high and transcendent manner against the person of his general and his majesty’s authority.”

A council of war was assembled, in which the lord-deputy of course presided, and the vice-treasurer, on two counts as guilty of reproachful words, and of words likely to stir up a mutiny, was by martial law adjudged first to be cashiered and publicly disarmed, and then to be shot or to lose his head. This extraordinary sentence was indeed transmitted to England accompanied by the unanimous recommendation of the lord-deputy and the council that the royal mercy should be extended to the life of the prisoner ;—but that such a judgment should have passed, or that such a court should have been held on a peer, a privy-councillor, a high civil functionary, for such an offence, filled all men with astonishment, indignation, and horror. Wentworth meanly endeavored to shift the odium from himself, by stating that he had sat silent in the court, and given no sentence of his own. He had however signed, as he no doubt dictated, the sentence passed by others in his own cause ; and he writes to secretary Coke that he foresees how he shall be “skirmished upon” in England on this account ; adding with characteristic effrontery : “Causeless traducing and calumniating of me is a spirit that hath haunted me through the whole course of my life, and

now become so ordinary a food as the sharpness and bitterness of it in good faith distempers no my taste one jot.”*

After the remission of the capital part of his sentence, Mountnorris was still detained in confinement to answer certain charges of malversation brought against him in the castle-chamber. His treatment relative to this prosecution was full of rigor and injustice ; a pathetic letter addressed to the lord-deputy by lady Mountnorris,—the kinswoman of Arabella Hollis, the wife whose memory he affected to idolize,—in which she besought him by that memory to have pity on her and her little ones by taking off his “ heavy hand ” from her dear lord,—drew no mercy from his hard heart ;—he now openly triumphed in the barbarous sentence ; declaring, that he would not lose his share in the honor of it ; and when the decree of his subservient castle-chamber had loaded Mountnorris with disgrace, and stripped him of every office and emolument he held in Ireland, it was not without his majesty’s special command, that, on humble submission made to the lord-deputy by his unhappy victim, he suffered him to quit Ireland for England,—which no suitor could then do without his special license. The permanent displacement and incapacitation of Mountnorris seems to have been the real object aimed at by the lord-deputy in all these persecutions, and he now sought to reap the fruits of his intrigue by obtaining the sole disposal of his vacant offices. But he knew too well the practice of the court to suppose that such patronage would be gratuitously conceded ; and he placed at the disposal of his friend Cottington a sum of 6000*l.*, which he requested him to distribute in the manner most likely to render his suit effectual. The answer of Cottington is a memorable document :

“ When William Raylton first told me of your lordship’s intention touching Mountnorris’s place for sir Adam Loftus, and the distribution of monies for the effecting thereof, I fell upon the right way, which was, to give the money to him that really could do the business, which was the king himself ; and this hath so far prevailed, as by this post your lordship will receive his majesty’s letter to that effect ; so as there you have your business done without noise : And now it rests that the money be speedily paid, and made over hither with all expedition. For the king hath already assigned it in part of twenty and two thousand pounds for land, which he

* *Strafford Letters*, i. 505.

hath bought in Scotland. You said right that Mountnorris his business would make a great noise : For so it hath, amongst ignorant, but especially ill-affected people ; but it hath stuck little among the wiser sort, and begins to be blown away amongst the rest.”*

What aggravates inexpressibly the ignominy of this transaction on the part of Charles, is the consideration, that what he had here bartered for money was not patronage alone, but the right of redressing injury. By sharing the profits of Wentworth’s tyranny and oppression, the monarch at once rendered himself an accessory to public crime, and ensured to the original offender, so far as depended on himself, complete impunity. It even appears that after this, the king gave express directions to the lord-deputy for proceeding to censure Mountnorris in the castle-chamber.

Shortly after, Wentworth obtained the royal permission to present himself at the English court : His master received him with gracious welcome, and called upon him at a full council for the detailed report, which he gave with a pride in some respects justly grounded, of his diligent, able and prosperous administration. He spoke of the church brought into strict uniformity with that of England,—the crown debts paid, and an increased and increasing revenue established,—of an army now first well clothed, “reasonably well armed,” well exercised and well paid,—of public justice dispensed without respect of persons, and the poor protected against the oppression of the great,—of “the ministers of justice not warped by any importunity or applications of private persons, never in so much power and estimation in the state and with the subject as now, yet contained in that due subordination to the crown as is fit, ministering wholly to uphold the sovereignty, carrying a direct aspect upon the prerogatives of his majesty, without squinting aside upon the vulgar and vain opinions of the populace.” He boasted of the flower of the English laws since Henry VII. established in Ireland,—of the vast increase of trade and the commencement of the linen manufacture, encouraged by him in opposition to that of woollen, in which Ireland might have become the rival of England. Afterwards he turned to the task of self-justification ; adverting to the proceedings against individuals for which he had incurred most censure, and vindicating them as acts which the necessity of his majesty’s service had forced

* *Stafford Letters*, i. 511.

upon one traduced as an austere and hard-conditioned man,—whereas, if he knew his own disposition, it was quite the contrary. A sharp rule, he contended, was necessary where he had found “a crown, a church and a people spoiled,” and “sovereignty was going down the hill.”—And here he was interrupted by the voice of his master acquitting him of all severity, and declaring that if he served him otherwise, it would not be as he expected from him.—In conclusion he mentioned somewhat apologetically his infirmity of choler, which more winters would he hoped correct, and which he thanked God had hitherto hurt none but himself! With the applauses of the king and council, and exhortations to proceed in the same course, he then retired.*

One token of the royal favor, however, the lord-deputy hoped and craved in vain. The earldom, the darling object of his aims and wishes, was still withheld. The cause was evidently the same as before,—Charles’s fear of espousing too far the part of a man generally obnoxious: yet Wentworth, unable to view in a true light his own conduct and its natural effects, continued to urge the very imputations he had incurred, and the number and violence of his enemies, as claims upon his master for honorary rewards,—on the plea however, in which there was some plausibility, that his being sent back without any public mark of royal favor would encourage clamors and opposition, to the hindrance of the service of the crown. He therefore requested to be again admitted to relate his grievances and press his suit with his majesty at his return from visiting his northern presidency.—The following was Charles’s answer.

“Wentworth,

“Certainly I should be much to blame not to admit so good a servant as you are to speak with me, since I deny it to none that there is not a just exception against: yet I must freely tell you, that the cause of this desire of yours, if it be known, will rather hearten than discourage your enemies: for if they can once find that you apprehend the dark setting of a storm, when I say No, they will make you leave to care for any thing in a short while but for your fears. And believe it, the marks of my favors that stop malicious tongues are neither places nor titles, but the little welcome I give to accusers, and the willing ear I give to my servants: This is not to disparage those favors, for envy flies

* *Strafford Letters*, ii. 13, *et seq.*

most at the fairest mark, but to show their use ; to wit, not to quell envy, but to reward service ; it being truly so, when the master without the servant's importunity does it, otherwise men judge it more to proceed from the servant's wit than the master's favor. I will end with a rule that may serve for a statesman, a courtier, or a lover ; Never make a defence or apology before you be accused."*

The high-spirited Wentworth did not hesitate to reply upon his ungracious master in the tone of an injured man, though tempered with expressions of profound submission, and demonstrations of a zeal in the service quite superior to the fears imputed to him. It appears from this letter that the earl of Holland, to whom the queen's favor gave increasing consequence, was at this time the court adversary he most dreaded.

A star-chamber suit of the highest importance, from the magnitude both of the pecuniary and political interests involved, was about this time brought to a termination. The great and augmenting wealth of the city of London had long been viewed by the monarch and his courtiers with jealous and rapacious eyes : "It was looked upon," says lord Clarendon, "as a common stock not easy to be exhausted, and as a body not to be grieved by ordinary acts of injustice ; and therefore it was not only a resort, in all cases of necessity, for the sudden borrowing great sums of money, in which they were commonly too good merchants for the crown, but it was thought reasonable, upon any specious pretences, to void the security that was at any time given for money so borrowed. Thus after many questionings of their charter, which were ever removed by considerable sums of money, a grant made by the king in the beginning of his reign, in consideration of great sums of money, of good quantities of land in Ireland, and the city of Londonderry there, was avoided by a suit in the star-chamber ; all the lands, after a vast expense in building and planting, resumed into the king's hands, and a fine of fifty (seventy) thousand pounds imposed upon the city."* To this intolerable wrong is justly ascribed the deep resentment cherished by the citizens against the king, and the formidable and persevering hostility with which they ever after pursued him. Charles made himself scandalously busy in the affair ; secretary Coke, writing to Wentworth, assures him, that the business, coldly followed hitherto, was "now carried

* *Hist. Rebel.*, restored edit. ii. 151.

on by his majesty's own resolution." Wentworth exhibited on the occasion more moderation and a sounder policy : Being taxed by the king for setting his hand to an offer of composition on the part of the city, which he esteemed "very low and mean," he replied, that it would be worth 150,000*l.* to his majesty : "That it could not be denied but the Londoners were out great sums upon the plantation, and that it were not only very strict in their case, but would discourage all other plantations, if the uttermost advantage were taken : Besides it was very considerable, the too much discouraging of the city, which in a time thus conditioned, and when they were to be called upon still for those great payments towards the shipping business, might produce sad effects ; whereas they were rather to be as tenderly as possible might be dealt with, if not favored, and kept in life and spirit."* In the result, the king, after squeezing from them as great a sum for composition as they were able to raise, kept possession of the lands until the power of the long parliament compelled him to restore the plunder.

The difficulty of levying ship-money was obviously increasing daily. Resistance to the demand had already been made by several individuals, and the spirit was spreading. Yet the king, whose necessities were likewise increasing, was bent on augmenting the tax and rendering it general over the kingdom, whereas it had hitherto been demanded in the ports and maritime counties only. At this juncture, we find Wentworth with forward zeal inviting his master to try the new assessment first in the northern counties, where he had and not the law presided, and where as he assured him no opposition was to be apprehended.

As a further security, Charles had recourse to another expedient, which drew after it long consequences. The case of the crown was stated in a royal letter addressed to the judges, and their opinions required on the legality of the imposition. "And after much solicitation from the lord chief justice Finch, who was the prime adviser of this appeal, promising preferment to some, and highly threatening others, whom he found doubting,"† the following answer was obtained under the signature of all the twelve : That when the good of the kingdom in general was concerned, and the whole kingdom in danger, his majesty might under the great seal require his subjects to

* *Strafford Letters*, ii. 25.

† Whitelock.

provide such ships, so armed and provisioned, and for such time, as he should see good, and might compel the doing of it in case of refractoriness; and that of the dangers and mode of prevention, his majesty was the sole judge. "This opinion and subscription of all the judges was enrolled in all the courts of Westminster, and much distasted many gentlemen of the country, and of their own profession, as a thing extrajudicial, unusual, and of very ill consequence in this great business or any other." It was determined nevertheless not to suffer it to remain a dead letter. Hitherto, when refusers of ship-money had been brought before the courts, the judges on circuit had overruled, or declined to entertain, any plea founded on the assumed illegality of the imposition, and thus the question of right had remained undecided; but it was now resolved to cite such delinquents before the court of exchequer, and there obtain a solemn decision for the king. The person singled out for an example on this occasion was John Hampden, Esq. of Great Hampden, Bucks.

It is matter of regret and of some surprise, that of him whose name stands confessedly first in the illustrious list of English patriots, few domestic anecdotes are on record, and that the contemporary delineations even of his public character are chiefly traced by hostile pens. The principal circumstances of his life however are well authenticated, and were as follows. He was born in London in the year 1594, and lost his father almost in infancy. Magdalen College Oxford had the honor of his education. On quitting the university, which he did without a degree, he complied with the laudable practice of the first English gentlemen of those times, by entering himself of an inn of court, and becoming an assiduous student of the laws and constitution of his country. He received through a long unbroken line the estate of Hampden, the original gift of Edward the Confessor to his ancestor; and his possessions were on the whole so ample that his mother urged him, though without effect, to purchase a peerage; within his own county his influence was probably second to none. His natural disposition was sprightly, his demeanor courteous, and he is said on his first entrance into manhood to have indulged himself in manly exercises, field sports, and jovial company. But he quickly withdrew "to a life," says Clarendon, "of extraordinary sobriety and strictness, and yet retained his usual cheerfulness and affability." He married in 1619, and two years after entered upon public life as a member of the last parliament of king James.

From the first he showed himself attentive to the business of the house, and a friend of reforms and of the people ; and though he did not yet come prominently forward as a speaker, he began to be appreciated by the leaders of the popular party, and enlisted himself in its ranks.

In the first parliament of Charles, Hampden sat for the borough of Wendover, to which the right of returning representatives, long suspended, had been restored in great measure through his exertions. In the succeeding parliament he was again returned for the same place, and became conspicuous as a debator. After the dissolution, being required to contribute to the loan which the king was then endeavoring to levy in lieu of parliamentary supplies, he refused, thus pointedly assigning his reason ; " That he could be content to lend, as well as others, but feared to draw upon himself that curse in Magna Charta which should be read twice a year against those that infringe it." Upon this he was committed by the council to close custody in the Gatehouse prison ; where Eliot, now in durance for his parliamentary conduct, must have been his fellow-prisoner. On a repetition of his refusal, he was afterwards confined to some place in Hampshire, under which restraint he remained till the general liberation of political delinquents by which the king found it necessary to prepare for the meeting of his third parliament. In this assemblage likewise Hampden took his seat, and was conspicuous in all the great committees, and questions of privilege, religion and supply. It is remarkable however, that before the precipitate and stormy dissolution at the end of the second session, Hampden had retired to the domestic scene, to brood in silence, or confer with a few chosen and congenial friends, on the misery and degradation which seemed to await his country from the rapid and unresisted progress of tyranny, civil and ecclesiastical.

The character of this great man's understanding and of his eloquence is thus delineated by the pen of one who well knew him, and in despite of the widest political differences appears to have regarded him with admiration and reverence. " He was certainly a person of the greatest abilities of any of that party. He had a great knowledge both in scholarship and in the law. He was of a concise and significant language, and the mildest yet subtillest speaker of any man in the house ; and had a dexterity, when a question was going to be put which agreed not with his sense, to draw it over to it by adding some equivocal or sly word, which would enervate the

meaning of it as first put. . He was very well read in history ; and I remember the first time I ever saw that of Davila, of the civil wars of France, it was lent me under the title of Mr. Hampden's *vade mecum*.*

There is not the slightest evidence for classing him amongst the fanatics of the time, though he might in some sense be a sectary. Clarendon, speaking of this period of his life, says, that "though they who conversed nearly with him found him growing into a dislike of the ecclesiastical government of the church, yet most believed it rather a dislike of some churchmen, and of some introducements of theirs, which he apprehended might disquiet the public peace."† At his death also he received the sacrament with the declaration, that "though he could not away with the governance of the church by bishops, and did utterly abominate the scandalous lives of some clergymen, he thought its doctrine in the greater part primitive and conformable to God's word, as in holy scripture revealed."‡

In 1634 he lost his wife, an heiress of the family of Symeon, who had made him the father of nine children, and who is emphatically described on the monument which he raised to her memory, as "in her pilgrimage the stay and comfort of her neighbors, the love and glory of a well-ordered family, the delight and happiness of tender parents, but a crown of blessings to a husband."

It was in 1636 that he rendered himself again obnoxious to power by his refusal of ship-money ; and in the same year the opinions of the judges were taken, and legal proceedings commenced. The conduct of Hampden through the whole was marked by that calm and deliberate spirit which is the pledge of unshaken perseverance. "He often advised in this great business," says Whitelock, "with Holborn, St. John, and myself, and others of his friends and counsel." Nothing was spared on either side to render the momentous decision one from which there could be no appeal ; and to give full scope for preparation, the solemn day of trial was procrastinated to the month of December 1637.

* Warwick's *Memoirs*, p. 240.

† *Hist. Rebel.* iv. p. 91.

‡ Clough's *Narrative*. It may be worth while to mention that his mother was a patroness of the noted John Goodwin, vicar of St. Stephen's Coleman Street, and received in 1641 the dedication of one of his earliest works, entitled "God a good master and protector." Goodwin had before this time been "convented" by Laud for some breach of the canons, but on his submission was no further proceeded against. See Jackson's *Life of John Goodwin*, M. A. London, 1822, pp. 15, 16.

We have good evidence that the subject of transatlantic colonization deeply engaged the attention of the lovers of liberty, in those years when along with parliaments the chief blessings of the English constitution were taken away from the people. As early as December 1631, a letter of Hampden to sir John Eliot contains the following sentence. "The paper of considerations concerning the plantation might be very safely conveyed to me by this hand, and after transcribing should be as safely returned if you vouchsafe to send it to me."*

During the year 1635, when the gloom occasioned by the recent loss of the beloved partner of his life, would be likely to deepen the despondency with which Hampden had long contemplated the state and prospects of his country, and perhaps to enfeeble or destroy his local attachments,—we find his name joined with those of six other gentlemen of family and fortune who united with the lords Say and Brook in making a purchase from the earl of Warwick of an extensive grant of land in a wide wilderness then called Virginia, but which now forms a part of the State of Connecticut. That these transatlantic possessions were designed by the associates, ultimately, or under certain contingencies, to serve as an asylum to themselves and a home to their posterity, there is no room to doubt ; but it is evident that nothing short of circumstances constituting a moral necessity, would have urged persons of their rank, fortune, and habits of life, to encounter the perils, privations, and hardships attendant upon the pioneers of civilization in that inhospitable clime. Accordingly they for the present contented themselves with sending out an agent to take possession of their territory and to build a fort. This was done : and the town called Saybrook from the united names of the two noble projectors, still preserves the memory of the enterprise. But it was a part of their design to establish in the new settlement an order of nobility and an hereditary magistracy ; than which nothing could be less congenial to the views of the body of settlers with whom they were in connexion ; and after some time wasted in disputes on this subject, they finally abandoned the whole design, and sold the land. This termination appears to have taken place in 1636 ; that is, during the dependence of the great cause of ship-money ; and this coincidence would of itself almost suffice to prove that no later

* *Eliot Letters*, MS.,

scheme of emigration was ever entertained by Hampden. From this epoch his name was reechoed throughout England as that of the most firm and undaunted champion of the invaded freedom of his native land ; from this epoch, notwithstanding the judicial decision in favor of the crown, near hopes of deliverance began to dawn upon him and his confederates ;—from this epoch in short, his hand was on the plough, from which assuredly he looked not back. Yet it was as long after as May 1, 1638, that there were arrested in the Thames by an order in council eight ships bound for New England and filled with puritan families, and amongst them are said to have been found Cromwell and Hampden, together with Arthur Hazelrig.

This celebrated story, notwithstanding the ready acceptance it has met with, may be safely pronounced unfounded. In addition to the moral objections just mentioned in the case of Hampden, it is to be observed that so striking an incident is not even hinted at in any contemporary account either of this patriot or of Cromwell. Both Clarendon and Whitelock are totally silent respecting it ; and the original authorities for it are stated to be no other than Dr. Georges Bates, author of “ *Lives of the Regicides*,” and Dugdale ; both zealous royalists,* from one or other of whom Cotton Mather seems to have transcribed it into his *History of New England*. But the insurmountable objection to the story appears in the following passages of Rushworth. After citing a proclamation issued in April 1637, by which the king “ did command his officers, and ministers of the ports, not to suffer any persons, being subsidy-men, or of their value, to pass to any of those plantations without a license from his majesty’s commissioners for plantations first obtained ; nor any under the degree of subsidy-men, without a certificate from two justices of peace where they lived, that they have taken the oaths of allegiance and supremacy, and a testimony from the minister of the parish, of their conformity to the orders and discipline of the church of England ;” he thus writes under the date May 1, 1638.

“ The privy-council made another order for reasons importing the state best known to themselves ; That the lord-treasurer of England shall take speedy and effectual course for the stay of eight ships now in the river of Thames, prepared to go for New England, and shall likewise give order for the

* Neal. *Hist. of Puritans*, ii, 316.

putting on land all the passengers and provisions therein intended for that voyage. And some days after his majesty and the board, taking into consideration the frequent resort into New England of divers persons ill-affected to the religion established in the church of England, and to the good and peaceable government of this state ; howbeit, upon the humble petition of the merchants, passengers, and owners of the ships now bound for New England, and upon the reasons by them represented to the board, *his majesty was then graciously pleased to free them from the late restraint to proceed in their intended voyage.*”*

From which it is plain that all who had embarked for New England on board those ships must actually have proceeded thither.

A few particulars however respecting the rise and progress of colonization in this part of the North American continent, and of the conduct of Charles respecting it, may here be inserted, as strikingly illustrative of the state of religious and political parties.

At this period, toleration was totally unknown to the laws of England. A refusal to attend divine worship in the parish church was, in all persons without exception, punishable in the first instance by fine, and on a repetition of such refusal, by banishment. Popish recusants, indeed, were allowed to compound for these penalties by a heavy annual payment, and the celebration of mass, though illegal, was connived at. But no similar indulgence was extended to the religious services of protestant sectaries. Their ministers did not yet form a distinct class ; with scarcely an exception they were ordained and beneficed clergy of the English church, and being thus lawfully subject to the authority of their diocesan, the means of detecting and punishing their deviations from conformity were easy and obvious. Abbot, indeed, had sparingly and reluctantly exercised against men whose piety he revered, whose doctrine he approved, and whose scruples he respected, the terrific powers with which the high-commission had armed him ; but from Laud and the bishops preferred by him, they found no quarter. At every episcopal visitation the clergy trembled. Lecturers were put to silence, domestic chaplains in the houses of private gentlemen cashiered, and their patrons commanded to attend their parish churches ; and the parochial clergy, were unconformable, were fined,

* Rushworth, part ii. p. 409.

suspended or deprived ; and frequently, with the more zealous of their followers, driven into banishment.

Thus in the archbishop's account of his province for the year 1636, delivered to the king and apostilled by his own hand, we find the following notices, “. . . There are still about Ashford and Egerton divers Brownists and other separatists. But they are so very poor and mean people that we know not what to do with them. They are said to be the disciples of one Turner and Fenner, who were long since apprehended and imprisoned by order of your majesty's high-commission court. . . . Neither do I see any remedy like to be unless some of their chief seducers be driven to abjure the kingdom, which must be done by the judge at the common law, but is not in our power.” *The King* : “Informed me of the particulars, and I shall command the judges to make them abjure.” And again : “In Norwich one Mr. Bridge, rather than he would conform, hath left his lecture and two cures, and is gone into Holland.” *The King* : “Let him go ; we are well rid of him.”*

From Holland, their earliest asylum, the zealous sectaries, anxious for more power of enforcing the sabbatical observance of Sunday than was allowed them there, gradually found their way over to New England.

King James, about the year 1620, by the advice of secretary Naunton, had granted to the first settlers, chiefly Independents, or Brownists, what in those deserts they could not easily be deprived of, that liberty of conscience which they desired above every earthly blessing ; possessed of this, all difficulties, all sufferings, appeared easy to overcome, or light to bear. By a perseverance and endurance which well deserve the epithet *heroic*, they succeeded in establishing the settlement of New Plymouth ; and encouraged by this example successive bands of emigrants arrived, all animated by the same principles, whose efforts were crowned with similar results ; and thus was colonization rapidly extended along the borders of Massachusetts Bay, and into the adjoining territories of Rhode Island and Connecticut.

By degrees, the growing strength and prosperity of these settlements awakened the jealousy of Charles and his episcopal adviser. Here were towns, almost provinces, in great measure self-governed, both as to civil and ecclesiastical matters. Their inhabitants owned indeed allegiance to the pa-

* Land's *Trial and Troubles*, pp. 538, 541.

rent state, but they denied that they held of the king of England lands which they had purchased from their aboriginal occupants. They were bound by a general engagement to rule themselves by the laws of England, but they excepted out of their obligation all those which concerned religion. The Anglican ritual, far from being established, was not even tolerated by the New Englanders, and some who had gone out with the design of setting up that form, had been sent out of the country. To permit an example of such danger and scandal to continue, was out of the question. Laud actually contemplated the hazardous experiment of sending out a bishop to them for their better government, backed by "some forces to compel, if he were not otherwise able to persuade obedience,"* and instead of driving the sectaries to abjure the realm, as before, it was sought, with a refinement of tyranny of which the annals of persecution have afforded few equally strong examples, to deprive the conscientious sufferers of that last and most melancholly of all resources, a rude, and distant, and perpetual exile. But time and fate passed on too fast; the resistance offered by the Scots to similar attempts prevented the execution of all designs against the religious liberties of the New Englanders, and the prohibitions of emigration, as far as they were at all effective, served only to minister a dangerous exasperation to those on whom they closed all the doors of escape.

The first colonists then, were religious, not political confessors; in their ranks were reckoned no fewer than seventy-seven expelled clergymen, and sixteen students who afterwards became ministers. Some venerated pastor, excommunicated by the spiritual courts, or deprived by the high-commission, for rejecting the surplice, for omitting the genuflections to the altar and at the name of Jesus, or for disobeying the illegal command to read in his church the declaration in favor of Sunday sports, was usually the leader of each little band of exiles. His flock followed at his bidding, and the infant settlement was only a transplanted church. With few exceptions, these, like the confessors and exiles of the days of Mary, were persons of the middling and lower classes of society; such as perceived no shame, and no ridicule, but perhaps, felt even a kind of honorary distinction attached to the name of Nonconformist. But the fashion was rapidly gaining the higher ranks: "*subsidy-men*" began to take

* *Cyprianus Ang.* p. 341.

flight, and this circumstance seems to account for the altered policy of the government. Between the puritanical sect and the constitutional party a natural connexion existed which was daily drawing into a closer intimacy. The victims of episcopal oppression could hope for no relief but through the restoration of the popular branch of the legislature, and the champions of civil liberty could not view without as much alarm as indignation the progress of religious tyranny. Several of those who had been opposers of illegal taxation in the early years of the reign, were already included amongst the exiles; the enterprise of lords Brook and Say and their coadjutors had been entered upon, and there is good proof that both Cromwell, who had given some proof of his power in the last parliament, and Hazelrig were publicly mentioned as preparing for their departure.

One person of fortune and family, memorable both in his after-life and his death, had already transported himself to the colonies under circumstances worthy of record. This was Henry, son of sir Henry Vane, a distinguished courtier who chiefly by the favor of the queen had become a privy councillor, commissioner of the navy, and comptroller of the household. Vane the younger, born in 1612, had received his early education at Westminster school, under Osbaldeston, the unfortunate correspondent of the bishop of Lincoln. Hence he removed to Magdalen college Oxford, and after completing his course "spent," says lord Clarendon, "some little time in France, and more in Geneva; and after his return into England, contracted a full prejudice and bitterness against the church, both against the form of that government, and against the liturgy." This state of his opinions greatly displeased his father; but finding no remedy for it, he was induced, with the consent, or, according to some accounts, by the persuasion of the king, to suffer him to transport himself to New England. The circumstance is thus recorded in one of the letters of Garrard, dated in September, 1635.

"Mr. Comptroller sir Henry Vane's eldest son hath left his father, his mother, his country, and that fortune which his father would have left him here, and is for conscience' sake gone into New England, there to lead the rest of his days, being about twenty years of age. He had abstained two years from taking the sacrament in England, because he could get nobody to administer it to him standing. He was bred up at Leyden, and I hear that sir Nathaniel Rich and

Mr. Pym have done him much hurt in their persuasions this way. God forgive them for it if they be guilty.”*

The results of this self-expatriation were remarkable. Flattered by the rank and dazzled by the zeal and talents of their new associate, the people of Massachusetts immediately conferred on him the freedom of the colony, and in the following year elected him their governor, in which capacity he gained credit by conducting a formidable warfare with one of the native tribes to a successful termination. Unfortunately there arose soon after a female fanatic who, professing at first to instruct her own sex alone in separate meetings which she styled “gossipings,” extended her influence by degrees amongst the other till a schism was effected which seemed likely to rend asunder the infant state. The youthful governor adopted her opinions and party with all the fervor of his nature, but the majority of the colonists adhered to their regular teachers and original creed. At the ensuing annual election for governor, a trial of strength took place; Vane was thrown out by a great majority; and the prophetess and her adherents being soon after banished on a compound charge of heresy and sedition, he thought fit to secure his return to England. This personal experience of the uncharitableness and intolerance exercised upon one another by men who had themselves been the victims of a similar spirit at home, seems to have produced for some time a tranquillizing effect on the mind of Vane: he married by his father’s direction a lady of family, obtained through the interest of the earl of Northumberland the place of joint treasurer of the navy, and exhibited for some time no hostility to the measures of the government. But his fire was smothered only, not extinguished, and we shall find it again getting vent, and blazing forth with all its pristine ardor.

The ambition of Laud, disguising itself, as usual, under the form of zeal for the service of the church, and a just desire to assert all the privileges belonging to him as its spiritual head, exhibited itself in a conspicuous manner by the new and extraordinary claim which he now advanced to visit, as metropolitan, both the universities, and correct at his pleasure all omissions or irregularities in matters of church discipline which he should there detect. In Oxford, his office of chancellor of the university had already given him such authority that apparently no irregularities were left to be amended

* *Strafford Letters*, i. 463.

there ; but in Cambridge, he found cause to complain, that two chapels remained unconsecrated, and that the wearing of surplices was sometimes neglected, and on these grounds he justified the necessity of claiming what he called his own power. Neither university however was disposed to submit tamely to this unheard-of assumption ; they pleaded that the right of visitation resided in the king alone, as sovereign and founder ; and the cause “came to a hearing before his majesty sitting in council ; sir John Banks, the king’s attorney general, pleading for the archbishop’s right and the king’s ; the king then in person arguing and giving judgment against himself.”* A striking example of the sacredness attached by Charles to the prelatical character, and his propensity to favor the most exorbitant pretensions urged in its behalf !

Just at this time the primate completed a body of statutes for the government of the university of Oxford, which were published in convocation. “The preface disparaged king Edward’s times and government, declaring that the discipline of the university was then discomposed and troubled by that king’s injunctions, and the flattering novelty of the age, and that it did revive and flourish again in queen Mary’s days, under the government of cardinal Pole ; when, by the much to be desired felicity of those times, an inbred candor supplied the defect of statutes.”†

Having carried these points to his satisfaction, the primate testified his gratitude and displayed his munificence by a splendid reception of their majesties at Oxford. The royal visitors were regaled by the university with customary presents,—the king receiving “a fair and costly pair of gloves,” the queen, “a fair English bible,” the prince Palatine, “Hooker’s Ecclesiastical Polity,” and his brother prince Rupert, who had lately arrived in England, Cæsar’s Commentaries, illustrated by sir Clement Edmonds, a selection which indicated that the destination of this young prince to the military profession was already fixed. The two princes and several of the nobility were decorated with doctors degrees, and plays and sermons alternately engaged the illustrious visitors. Three comedies were performed, one of them entitled, “Passions calmed, or the settling of the floating Islands,” is said to have had “more of the philosopher than the poet in it,” and perhaps partook of the Platonic taste then prevalent. The interludes which diversified the other pieces, were repre-

* Rushworth, ii. 324.

† *Id. Ibid.*

sented "with as much variety of scenes and motions as the great wit of Inigo Jones could extend unto."* The "stately and magnificent dinner" was given by the archbishop in his own college, St. John's, and in a new gallery of his own building. "It was St. Felix his day," he quaintly remarks in his diary, "and all went happily." A short time previously the primate, with characteristic munificence, had founded in Oxford an Arabic lecture, and appointed to the chair that very eminent orientalist and excellent man, Dr. Edward Pocock.

* *Cyprianus Ang.* pp. 299, 300.

CHAPTER XIV.

1637.

Failure of negotiations with the Emperor.—Charles threatens war against Spain.—Wentworth dissuades it.—Unfriendly conduct of France.—Bombardment of Saltee and peace with the emperor of Morocco.—Ill success of the English fleet against the Dutch.—Proceedings against Prynne, Burton, and Bastwick.—Exasperation against Laud in consequence.—Decree of star-chamber against unlicensed printing.—Punishment of John Lilburne;—account of him.—Quarrel of Laud with Archy the king's fool.—King and Laud jealous of conversions to popery.—Account of Walter Montague.—Anecdotes of Toby Matthew.—Account of Chillingworth, and his writings.—Milton sets out on his travels,—returns from Italy confirmed in protestantism.—Judgment against Hampden in the matter of ship-money.—Ill effects of it on the king's affairs.

THE earl of Arundel, sent to negotiate with the Emperor in the forlorn cause of the Palatine family, returned at the beginning of this year to report a total want of success in his object, aggravated by scornful treatment. The pride of Charles was exasperated, and it threw him into certain measures thus explained by himself in a letter to the lord deputy. “. . . . Upon Arundel's return I have perceived that directly which heretofore I have much feared, to wit, the impossibility of restoring my sister and nephews by fair means, at least without threatening. This has made me fall in with France in a strict defensive league: (the treaties are not yet ratified by France, but I make no question of their ratifying of them,) and if we and the confederates (viz. Denmark, Swede, and the States,) can agree both how and what to ask, upon refusal, or so long delay as upon agreement set down we shall account as ill as a denial, we are jointly to proclaim the house of Austria with all their adherents, our enemies. But I have professed that all my warfare must be by sea and not by land. What likelihood there is, that upon this I should fall foul with Spain, you now may see as well as I; and what great inconvenience this war can bring to me, now that my sea-contribution is settled, and that I am resolved not to med-

die with land armies, I cannot imagine, except it be in Ireland ; and there too I fear not much since I find the country so well settled by your vigilant care : Yet I thought it necessary to give you this watch-word, both to have the more vigilant eye over the discontented party, as also to assure you, that I am as far from a parliament as when you left me.”*

Wentworth received with extreme alarm this intimation of the warlike dispositions of the king ; perfectly aware that to continue to raise the necessary supplies for the support of government without the intervention of parliament, would amply task the skill and courage of ministers even in a season of profound peace, he could not doubt that the expense and embarrassment of a war must prove dangerous or fatal to the whole system, and especially to all his own designs for raising a revenue from the tranquillity and improvement of Ireland ; and in an able letter he laid before his sovereign the powerful political motives for a return to milder counsels. To Laud we find him avowing with frankness his personal reasons for dreading a war, as follows. “ Good my lord, if it be not too late, use your best to divert us from this war, for I foresee in it nothing but distractions to his majesty’s affairs, and mighty dangers to us that must be the ministers, albeit not the authors of the counsel. It will necessarily put the king into all the high ways possible, else will he not be able to subsist under the charge of it : and if these fail, the next will but be the sacrificing of those that have been his ministers therein. I profess I will readily lay down my life to serve my master, my heart should give him that very freely ; but it would something trouble me to find even those that drew and engaged him in all these mischiefs, busy about me themselves in fitting the halter about my neck, and in tying the knot sure that it should not slip, as if they were the persons in the whole world the most innocent of guilt, howbeit in truth as black as hell itself, and on whom alone the punishment ought to lie.”†

The concluding expressions allude to the French party at court, and especially to its leader the earl of Holland, against whom the wrath of Wentworth burned so fiercely, that he once told the king he would do well to cut off his head,—a speech which was faithfully remembered against its author in the day of vengeance.

* *Strafford Letters*, ii. 53.

† *Ibid.* ii. 66.

It appears by Charles's answer, that the arguments of Wentworth against a war made a considerable impression upon his mind ; but it was the long delays on the part of the court of France, always insincere in these negotiations, which decided the question, by protracting the treaty of alliance till the British sovereign found himself inextricably involved in the great contest of his reign, and unable to look abroad.

Of the hostile spirit of the French at this juncture, when so much friendship was professed, a letter of Wentworth's affords the following glaring instance. "The pillage the Turks have done upon the coast is most insufferable, and to have our subjects thus ravished from us, and at last to be from Rochelle driven over land in chains to Marseilles, all this under the sun, is the most infamous usage of a christian king by him that wears Most Christian in his title, that I think was ever heard of. Surely I am of opinion, if this be passed over in silence the shipping business will not only be much backened by it, but the sovereignty of the seas become an empty title, and all our trade in fine utterly lost."*

Charles seems to have obtained no redress for this injury from his royal brother, who had lately formed an alliance with the Turks ; but being now master of a powerful navy, he sent a squadron to bombard Salée, and concluded a peace with the emperor of Morocco, stipulating for the release of English captives. The main fleet under the earl of Northumberland was less successful in its cruise against the Dutch fishing-busses : Under the protection of their own superior fleet, they continued to take herrings as formerly off the British coasts, and refused all payment for the royal license.

The severities instigated by Laud against the assailants of episcopacy had not yet produced their intended effect in subduing the courage of the sufferers and reducing them to silence. Prynne, from the perpetual prison which the sentence of the star-chamber had assigned him, resumed his warfare upon the "Luciferian prelates," in a tract called "News from Ipswich." Burton, formerly a royal chaplain, who for two sermons which he had preached at his own church in London had been suspended by the high-commission and committed to prison till he should recant, ventured to aggravate his offence by an "Apology" in which he called upon the people to resist with obstinacy the novelties introduced by the bishops. Dr. Bastwick, a learned physician, then the fellow-prisoner of

Prynn, having on account of a former attack on the divine right of episcopacy been also excommunicated, suspended from the exercise of his profession, and heavily fined, followed up his blow in a piece entitled his "Letanie." The language of all these tracts was violent and provoking in the extreme; that of Bastwick even descends in some passages to a kind of scurrilous banter. In the quaint phraseology of his day, reproaching the difference of degrees in the church, he styles bishops, priests and deacons, "little toes of Antichrist." On account of the mixture of scripture in the prayer book he calls it "linsey woolsey service," adding, "It is indeed a mere translation of Latin superstition into English superstition." The following is the extraordinary menace which he fulminates against the bishops if he be not speedily liberated from his confinement. "I will with a pen of iron, correspondent to the iron age of the prelates, so plague the metropolicality of York and Canterbury, and the hyperocality of all the other prelates, as I will never leave them till I have sent them to the place where the two *fulmina belli*, Alexander the great cries mustard and green sauce; and where Julius Cæsar plays Pluto's rat-catcher."

By the dignitaries of a church which felt itself strong in the reverence and attachment of the people, such railing accusations might with equal dignity and safety have been passed over in silence; but the unpopular primate, in whom they inspired no less alarm than indignation, was impelled by both these sentiments to visit their authors with exemplary, and if possible deterring punishment.

After a vain attempt to extort from the judges an opinion that these libels on the church formed a species of high treason, it was determined to proceed in the star-chamber by a joint bill against all the three;—a strange decision, since it was not in proof that any of the tracts charged in the bill as libellous, and of which two were anonymous, had been written by them in common; neither were they allowed to confer together in order to the making of a common defence.

Prynn having tendered a cross bill against the primate, it was refused as irrelevant and an aggravation of his offence; he was then debarred pen and ink, and the servant employed to solicit his cause was carried off by a pursuivant and attached till the hearing was over, and the order to admit counsel to him was evaded. All the defendants were then ordered to put in their answers by an early day, and it was required that they should be signed by two counsel. But the

answers, drawn by themselves, and which they refused with pertinacity to modify, proved to be of such a nature that lawyers declined to put their names to them; in consequence they were rejected by the court, and the matter of charge taken *pro confesso*; and sentence was to be given accordingly.

On June the 14th the three prisoners being brought up for judgment were allowed to speak for themselves, so that it were without libelling or offence, and Prynne had leave to make several motions: he again offered his cross bill against the prelates, which was refused; he moved that the prelates, their prosecutors by name, might not sit as their judges, other lords having retired from causes in which they were interested: this was scouted. He moved that his answer might be received, to which he had now got one counsel's hand; he was told it came too late. Chief-justice Finch, though no judge in the star-chamber, complained that Prynne's ears had not been cut short enough, and the court ordered his hair to be turned back to examine, and were offended that his former sentence had been no better executed.

Five books had been named in the indictment, three by Burton and Bastwick, the others anonymous; and Prynne justly complained that he should be joined in the accusation when none of them had been laid to his charge, when he had confessed nothing nor had any witness been brought to testify against him; and again he offered his answer, which was again refused and he commanded to hold his peace. The other defendants were likewise checked in their answers. The sentence given by lord Cottington was, that the prisoners should lose their ears, pay a fine of 5000*l.* each, and be perpetually imprisoned in the castles of Caernarvon, Cornwall, and Lancaster. To which lord Finch added, that Prynne should be branded in the cheeks with the letters S L, (seditious libeller,) although he was only punished for a contempt.

Burton having been previously degraded from his priesthood,—a ceremony by which Laud intended to save the credit of his order,—the three martyrs, as they were considered by themselves and by a great portion of the spectators, were brought forth to undergo their barbarous sentence: Prynne, as the principal delinquent, being placed on a single, the others on a double pillory. Undaunted courage marked the deportment of all the three, but a considerable diversity of character was observable in other respects. When Bast-

wick mounted the scaffold, on whom the mutilation was first to be performed, "his wife immediately following came up to him, and like a loving spouse saluted each ear with a kiss, and then his mouth; whose tender love, boldness and cheerfulness so wrought upon the people's affections that they gave a marvellous great shout, for joy to behold it. Her husband desired her not to be in the least dismayed at his sufferings. And so for a while they parted; she using these words: 'Farewell, my dearest, be of good comfort, I am not dismayed.'" "I know," said this sufferer in his speech to the people, "there be many here who have set many days apart for our behalf, (let the prelates take notice of it,) and they have sent up strong prayers to heaven for us; we feel the strength and benefit of them at this time." And he went on to say, that if he had as much blood as would swell the Thames, he would shed it willingly on this account.

The speech of Burton was in effect a sermon, long and quaint. He was watchful to interpret every trivial circumstance which occurred into a special providence sent as testimony to himself and his cause, and was not even ashamed to run a parallel between his own sufferings and those of Christ. These arts were well adapted to work upon the feelings of the already sympathizing and indignant crowd: "The place was full of people," writes Garrard, "who cried and howled most terribly, especially when Burton was cropped."

Prynn, in whom all personal considerations were swallowed up in his zeal for the cause, appeared solely anxious to improve the opportunity of arguing against the divine right of bishops; and the primate, being informed as he was sitting in star-chamber of the purport of his speech, moved that he should "be gagged and some further censure laid; but the lord keeper replied, 'his grace should do well not to notice what men spoke in pain on the pillory;'" so it rested."

The three learned professions felt themselves insulted by the ignominy of the punishment inflicted on their respective members, and with regard to Prynn in particular, who, says Fuller, "was commended for more kindly patience than his predecessors in that place, so various were men's fancies in reading the same letters, imprinted in his face, that some made them to spell the guiltiness of the sufferer, but others the cruelty of the imposer. Of the latter sort, many for the cause, more for the man, most for humanity's sake, bestowed pity upon him."

But the contrivers of an infliction which filled all impartial

persons with horror and indignation, had aggravations of rigor still in store for their unhappy victims. A supplemental order was made in the star-chamber, on the mere motion of the attorney-general, for debarring the prisoners from pen and ink, and all books excepting a bible, a prayer-book, and some works of devotion of the kind which were then accounted orthodox.

It is a generous characteristic of the English people,—and one which rulers have never found their account in overlooking,—to side with the weak and the persecuted. Mutilated, stigmatized, pilloried and ruined, the puritan confessors instantly became the objects of sympathy, esteem, enthusiasm; and this we learn not alone from the boast of themselves or their partisans, but from the splenetic remarks of the primate himself, who deduced nothing from so formidable a manifestation of public opinion, excepting a ground of complaint against the lenity or laxity of his coadjutors. “I am verily of your lordship’s mind,” he writes to Wentworth, “that a little more quickness in the government would cure this itch of libelling, and something that is amiss besides; but you know what I have written, and truly I have done expecting of *thorough* on this side. . . . But what say you to it when Prynne and his fellows should be suffered to talk what they pleased while they stood in the pillory, and win acclamations from the people, and have notes taken of what they spake, and those notes spread in written copies about the city, and that when they went out of town to their several imprisonments, there were thousands suffered to be upon the way to take their leave, and God knows what else.” And again: “By that which I have written your lordship will easily see, that the triumviri will be far enough from being kept dark. It is true that when this business is spoken of, some men speak as your lordship writes, that this business concerns the king and government more than me. But when any thing comes to be acted against them, be it but the execution of a sentence, in which lies the honor and safety of all justice, yet there’s little or nothing done, nor shall I ever live to see it otherwise.”*

Garrard mentions “strange flocking of the people after Burton, when he removed from the Fleet toward Lancaster Castle. Mr. Ingram, sub-warden of the Fleet, told the king that there was not less than 100,000 people gathered together to see him pass by, betwixt Smithfield and Brown’s Well, which

* *Stafford Letters*, ii. 99, 100.

is two miles beyond Highgate ; his wife went along in a coach, having much money thrown to her as she passed along." He also records that "complaint hath been made to the lords of the council of a sheriff of West Chester, who when Prynn passed that way through Chester to Caernarvon Castle, he with others met him, brought him into the town, feasted and defrayed him ; besides this sheriff gave him a suit of coarse hangings to furnish his chamber at Caernarvon Castle ; other presents were offered him, money and other things, but he refused them. This sheriff is sent for up by a pursuivant."*

Prynn himself has placed on record the following particulars connected with these transactions.† That on his journey he was visited both at Coventry and at Chester by friends and partisans who showed him kindness ; that the wife of the mayor of Coventry having visited him, Laud sent for her husband and six more of the corporation, and ordered the attorney-general to bring a *quo warranto* to seize their liberties ; but that at length, there being nothing against them, after much attendance on the council and considerable expense, they were dismissed "with a check." That the names of the persons who visited him at Chester were sent up to Laud by their bishop, who also issued, and caused to be read in all the churches of the city, a kind of manifesto against such encouragers of schism, in which the clergy were commanded to preach against Prynn and the rest. That after this, his Chester adherents having been apprehended by the pursuivants of the high-commission, the *ex officio* oath was administered to them, and on their confession of having visited him, they were smartly fined, bound to their good behavior, and ordered to make public acknowledgment of their fault both in the cathedral, and before the mayor and corporation in the town hall. The bonds of some of them were estreated on their refusal to pronounce the confession drawn up for them. Some pictures of Prynn were also seized in Chester by the high-commission and defaced before the bishop and a notary, and the frames burned at the high cross by order of the archbishop of York.

Burton was conveyed to Lancaster Castle, where his wife and daughter were not permitted to approach him even when he was sick, and where, as Prynn emphatically complains, "there were a company of witches 'purposely imprisoned in

* *Strafford Letters*, ii. 115.

† In his *New Discovery of the Prelates' Tyranny*, whence many of the preceding particulars have also been derived.

the chamber under him, and a rank papist set to bring him his meat and to be his chamber-fellow." But the prisoners were not yet sufficiently secluded from all means of intercourse with their families and friends, to satisfy the vengeance or appease the jealousies of their persecutor ; and at the end of a few weeks a fresh order was issued for conveying them respectively to fortresses in the isles of Jersey, Guernsey and Scilly. It was now further directed that they should neither write nor receive letters ; that in their journey no one should be allowed to speak to them ; and if the wives of Burton or Bastwick, who had made some efforts to gain a sight of their husbands, should attempt to land in the islands containing them, they were to be imprisoned till further order,—an excess of tyranny, combined with an insult upon the most universally revered of human ties, scarcely to be credited, and in English history surely not to be paralleled !

Burton was incarcerated in the isle of Scilly, where, as was asserted by his party, "many thousands of robin-red-breasts, (none of which birds were ever seen in those islands before or since,) newly arrived at the castle there the evening before, welcomed him with their melody, and within one day or two after took their flight thence, no man knows whither."

The exasperation against the primate excited by these severities, may be illustrated by a few notes taken from his own diary. June 30. "The above three libellers lost their ears." July 7. "A note was brought me of a short libel pasted on the cross in Cheapside : That the arch-wolf of Cant. had his hand in persecuting the saints, and shedding the blood of the martyrs." August 23. "My lord-mayor sent me a libel found by the watch at the south gate of St. Paul's : That the devil had let that house to me, &c." August 25. "Another libel brought me by an officer of the high-commission, fastened to the north gate of St. Pauls : That the government of the church of England is a candle in the snuff, going out in a stench." "The same day at night my lord-mayor sent me another libel, hanged upon the standard in Cheapside, my speech in the star-chamber set in a kind of pillory, &c." August 29. "Another short libel against me in verse." In the face of all these evidences of public opinion, the primate persevered in the persuasion that more punishments, more rigor, were the only things necessary to the establishment of exact conformity and universal obedience.

The star-chamber censure passed upon bishop Williams, which has been anticipated in our narrative, was delivered on

July 11th in this year ; and though it was not calculated, like the former spectacles of cruelty, to rouse popular indignation, it no doubt served to confirm the purpose long cherished in the hearts of patriots, of seizing the earliest occasion to check the exorbitant and oppressive power both of the court itself and of him who was its present dictator.

In the hope of giving an effectual check to the circulation of pamphlets against the bishops and the government, a decree was now made in the star-chamber prohibiting the printing of any book or pamphlet without the license of the archbishop of Canterbury, the bishop of London, or such inspectors of manuscripts as they should appoint, on pain to the printer of perpetual disqualification from the exercise of his trade, and such further punishment as by that court, or the high-commission, should be thought fitting. It was not long before this edict was found to have been transgressed by one who gloried in a spirit able to endure all that the most inventive cruelty could inflict.

John Lilburn, born in 1618, a younger son of a gentleman's family in the North, had been sent young, and with a scanty education, as apprentice to a wholesale clothier in London. A resentment against what he regarded as oppression, or undue control, whether exercised against himself or others, was from youth the leading principle, the ruling passion of his mind. By means of a charge which he lodged against his master for ill-usage, he had prematurely obtained his freedom ; and becoming deeply imbued with religious zeal from the perusal of the Book of Martyrs, and the study of the controversial works of the puritans, to which he now devoted himself, he obtained the notice of divines and others of that party. Having gained access to Dr. Bastwick in prison, he had been employed by him to carry over and get printed in Holland some of those pieces by which he and Prynne incurred their last sentence ; and it was for this offence that an information was preferred against him and one Warton in the star-chamber. On an oath being offered them to answer interrogatories, Lilburn refused it, because no freeborn Englishman could legally be compelled to accuse himself,—an answer which obtained for him from the people the title of “Freeborn John.” Persisting in this course, the court proceeded to sentence him in contempt, and he was adjudged to pay a fine of 500*l.*, to stand in the pillory at Westminster, and to be whipped thence to the Fleet prison, where he should remain till he gave sufficient sureties for good beha-

vior. Whilst standing in the pillory Lilburn distributed from his pockets many pamphlets, held to be seditious, and proceeding to utter bold speeches against the bishops, the court caused him to be gagged ; when thus disabled from speaking, he continued to stamp with his feet. He was then ordered to be laid, with irons on his hands and legs, in the wards of the Fleet, a noisome dungeon appropriated to the basest sort of prisoners : no person whatever was to be admitted to see him ; and all letters or books brought him were to be seized and carried to the lords in star-chamber, and notice to be given them of all persons who attempted to see him.*

The primate soon after had it in contemplation to make the same high court of judicature the instrument of his revenge on no less a personage than Archy, or Archibald Armstrong, the king's fool. This functionary was of long standing in the court, and apparently in good acceptance with his master, whom he had attended in his Spanish journey. He was Scotch by birth, and partaking in the antipathy to bishops which at this time possessed his countrymen in general, he took particular delight in making Laud the butt of sarcasms which wanted neither wit nor truth to render them provoking. What was worse, the numerous court enemies of the archbishop, pleased to see his choler roused by such an object, afforded the jester such effectual protection that he was enabled to carry on the war for several years. "Nor," says Osborn, "did this too low-placed anger lead him (the primate) into a less absurdity than an endeavor to bring him into the star-chamber, till the lord Coventry had, by acquainting him with the privileges of a fool, shown him the ridiculousness of the attempt : yet not satisfied, he, through the mediation of the queen, got him at last discharged the court ; whither he brought after the same mind under a cloak as he had before borne in his fool's coat."†

It was by an order in council of March 1638 that Archy was solemnly condemned to have his coat pulled over his head and be discharged the king's service.

Since the unwise permission given for the residence of a nuncio in London, the boldness of the Romish party had sensibly increased ; the jesuits redoubled their activity in the work of conversion, and at length their success, chiefly amongst ladies of birth and fortune, began to awaken the dis-

* Rushworth, ii. p. 463, *et seq.*

† Osborn's *Advice to a Son*, part ii. c. 4.

pleasure of the king and the jealousy of Laud. The countess of Newport having openly attended mass in the queen's chapel, her husband, in high indignation, complained to the primate, who brought the affair before the council, and according to the entry in his diary, made a free speech there to the king "concerning the increasing of the Roman party; the freedom of Denmark (Somerset) House; the carriage of Mr. Walter Montague, and sir Toby Mathew." The queen was incensed at this interference, and continued her displeasure against the primate for several weeks, after which he "had speech with her a good space, and all about the business of Mr. Montague," but they "parted fair."

Walter Montague, a younger son of the earl of Manchester, lord privy seal, at an early age, during his travels in France and Italy, had been induced to change his religion and enter a French monastery. He published an apology for his conversion in a letter which was answered by lord Falkland in 1635. Being soon after introduced to the notice of Mary de' Medici, and becoming, as was supposed, her gallant, she not only bestowed upon him the rich abbacy of Pontoise, but received him into her cabinet council; in which situation he contributed to the advancement of Mazarine, who speedily forgot the obligation. Through the recommendation of her mother he had now obtained the favor and confidence of Henrietta, and devoted himself with much zeal to the interests of his church in England. With Charles he appears to have been always an object of suspicion and dislike, and on this occasion both he and his fellow-convert Toby Mathew, who had imbibed popery in Spain, and was already a concealed priest and member of the society of jesuits, were visited with the royal rebuke, although the influence of their patroness sufficed to preserve them from the animadversion of the law. Lord Conway in a letter to the lord-deputy of Ireland relates, that at the council table "the king did use such words of Wat. Montague and sir Toby Mathew, that the fright made Wat. keep his chamber longer than his sickness would have detained him, and Don Tobiah was in such perplexity, that I find he will make a very ill man to be a martyr, but now the dog doth again wag his tail." This lively letter-writer adds the following curious little story, which may serve to mark the date of the introduction of chocolate into this country from Spain. It will be remembered that sir Toby was the vowed panegyrist and humble servant of the great lady here mentioned. "The other day, he having infinitely praised choco-

late, my lady of Carlisle desired that she might see some, with an intent to taste it ; he brought it, and in her chamber made ready a cup full, poured out one half and drank it, and liked that so well that he drank up the rest ; my lady expecting when she should have had a part, had no share but the laughter.”*

Busy intriguer as he was, Matthew had strong claims on the forbearance or protection of Laud himself, if we may rely on Prynne's information, that he had been employed by the archbishop in the scheme of an union between the churches. Wentworth, on taking possession of his government, had carried him over with him to Ireland ; a circumstance which gave much offence and alarm, on account of his religion, his insinuating address and the general persuasion of his acting the part of a spy. He afterwards resided for a time as principal chaplain in the family of the earl of Worcester, but on the breaking out of the civil war took refuge at Ghent, where he renounced the world.

Amid these indefatigable efforts on the part of the church of Rome to win back by detail its lost sovereignty over the English people, nothing could be more seasonable than the appearance of a work of consummate ability bearing for its title, “The religion of protestants a safe way to salvation.”

Its author, the illustrious Chillingworth, a native and student of Oxford, and a godson of archbishop Laud, had been early remarked for his love of scholastic disputation ; to which he brought, according to lord Clarendon, who knew him well, “great subtilty of understanding,” a temper which it was impossible to provoke to passion, and “a sharpness and quickness of arguments and instances,” in which his rare facility gave him the advantage over all antagonists. But with these endowments of intellect were not unnaturally combined a sceptical and wavering turn of mind ; which, by persuading him of the necessity of an infallible living guide of faith, laid him open to the force of a leading argument in favor of the church of Rome ; and the jesuit Fisher urged it upon him with such skill and cogency as to effect his conversion. He quitted his country in consequence, and repaired for a time to the college at Douay. But further reflection, together with the arguments of the primate, who had sustained with great credit a public disputation against Fisher, supplied him with reasons in behalf of protestantism to which he finally yielded ;

* *Stafford Letters*, ii. 125.

though not without some lingering doubts and half-relapses which long exposed him to obloquy and suspicion.

It was in this his great work that Chillingworth established, as the bulwark of protestantism, the great and fundamental principle, that Scripture is the only rule for judging of controversies of faith. He also maintained that the errors of conscientious men do not incur the divine displeasure.

Milton, whose *Comus* was represented at Ludlow Castle in 1635, gave to the world in this year his *Lycidas*, the last written of his English poems before the awful circumstances of his country summoned him to quit for a time the service of the Muses and mingle in the field of religious and political controversy. Early in 1638 its author set out on his travels to France and Italy, furnished with a letter of advice from sir Henry Wotton, a statesman whose peculiar praise it is, that genius and merit never passed him unnoted or to the extent of his power unaided. In this letter he thus quotes for the direction of his young friend in Italy, and especially at Rome, the rule given to himself on his first visit to that city by an experienced Roman courtier. “*I pensieri stretti et il viso sciolto ;*” that is, ‘Your thoughts close and countenance loose,’ will go safely over the whole world. Of which Delphian oracle (for so I have found it,) your judgment doth need no commentary.”

The maxim may be held a cold and a crafty one ; it was certainly not taken for his guide by the great and noble-minded man to whom it was addressed ; but, at this juncture, extreme caution and reserve were there indispensable to every English protestant who desired at once to preserve his religion, to enjoy the pleasures of lettered society, and not to endanger his liberty. Notwithstanding the extraordinary admiration which his classical taste and learning, and especially his proficiency in their own language and literature, excited in all the Italian cities which he visited, Milton found himself precluded from the intimacy of Manso at Naples by the protestant zeal which had manifested itself in his discourse. It is also evident that before his character was understood, those artful flatteries had been practised upon him by which so many English had been enticed, whilst on their travels, into a reconciliation with the church of Rome. Since a papal nuncio had been admitted at London, a cardinal-protector had been appointed for the English nation at Rome, and this office was borne by no less a personage than cardinal Barberini, nephew and prime minister to the pope. Milton was duly introduced

at his palace by the librarian of the Vatican, who had previously gratified him by a free admission to the treasures which he held under his custody ; and at a great entertainment the cardinal, having singled him out amid the crowd at his door, brought him into the assembly almost by the hand. But Milton had already at Florence “ found and visited the famous Galileo, grown old a prisoner to the Inquisition, for thinking in astronomy otherwise than the Franciscan and Dominican licensors thought ; ”* and a confirmed abhorrence of the Romish system, as that of all others which had laid the heaviest impositions on the freedom of the human mind, seems to have been a principal result of his Italian travel.

The great cause against Hampden for his refusal of ship-money now came on for decision, and in the intense anxiety which it awakened, all other interests seemed swallowed up and forgotten. It was heard before the twelve judges in the exchequer chamber, and the pleadings occupied no less than eleven days. St. John and Holborn were counsel for the defendant, and the attorney and solicitor general, Banks and Littleton, for the crown. Against the right of taxation by the crown without parliament were pleaded the general principles of English law, and many decisions ; Magna Charta and the several confirmations of it, and last of all, the Petition of Right ratified by the reigning sovereign. On the other side were pleaded several precedents, many of them inapplicable, and all drawn from unsettled and very early times ; and because to the strong and precise language of so many charters and statutes no other defence could be opposed, the crown lawyers and several of the judges were impelled to justify this extortion on principles which, it was evident, would leave to the subject nothing which he could call his own ; such as the absolute nature of royal authority, and the implicit submission due to the sovereign, who alone was to be accounted the fit judge of the necessity of what he required for the safety of the state. Some even went so far as to deny the authority of parliament to set limits to the inherent and transcendent prerogatives of the crown, of which they affirmed the power of arbitrary taxation to be one. It was an error, judge Berkeley said, to maintain that by the fundamental policy of this kingdom the king could be restrained from taking money without a common consent in parliament. “ The law knows

* Milton's *Speech for unlicensed printing*.

no such king-yoking policy. The law is itself an old and trusty servant of the king's ; it is his instrument or means which he useth to govern his people by : I never heard or read that *lex* was *rex* ; but it is common and most true that *rex* is *lex*." Chief-justice Finch laid it down that no act of parliament could bar a king of his regality ; " therefore acts of parliament to take away his royal power in the defence of his kingdom are void : they are void acts of parliament to bind the king not to command the subjects, their persons and goods, and I say their money too."

In the end, seven of the judges with Finch, chief-justice of the common pleas, at their head, gave judgment for the crown. Bramston, chief-justice of the king's bench, and Davenport, chief baron, though they pronounced in favor of Hampden on some technical grounds, decided the general question for the king. Of the other three, Denham, being ill, gave in writing his decision against the king ; and so anxious was he to place on record his testimony to the law of England, that " he annexed his opinion as a codicil to his will."* Hutton and Croke now found courage to retract the opinion in favor of the king's right which they, like all the rest, had formerly signed, and to deny in the most positive manner the pretended prerogative of the crown and the lawfulness of the imposition. " Judge Croke," says Whitelock, " of whom I speak knowingly, was resolved to deliver his opinion for the king, and to that end had prepared his argument : Yet a few days before he was to argue, upon discourse with some of his nearest relations, and most serious thoughts of this business, and being heartened by his lady, who was a very good and pious woman, and told her husband upon this occasion, ' That she hoped he would do nothing against his conscience, for fear of any danger or prejudice to him or his family ; and that she would be contented to suffer want, or any misery with him, rather than be an occasion for him to do or say any thing against his judgment and conscience : ' Upon these and many the like encouragements, but chiefly upon his better thoughts, he suddenly altered his purpose and arguments." " But Hampden," he adds, " and many others of quality and interest in their countries, were unsatisfied with this judgment, and continued to the utmost of their power in opposition to it ; yet could not at that time give any further

* *Strafford Letters*, ii. 180.

stop or hindrance to the prosecution of the business of ship-money ; but it remained, *alta mente repostum*."

It was however still six months before the opinions of all the judges were delivered and this memorable judgment carried into execution ; and thus was full leisure afforded to all men to debate it with themselves and explore the sentiments and resolves of others. No one doubted that the writ was illegal ; of this the want of unanimity amongst the judges was alone sufficient evidence ; and when men saw, as in the denial of bail to the loan-refusers some years previously, the case ruled against the people, and the sages of the law themselves defending upon system acts of lawless power, and overthrowing by technical chicane the sacred charters of English liberty, they could no longer disguise from themselves the awful truth, that all legal and regular modes of redress being set aside, it must speedily come to be decided, whether they should tamely surrender for all coming time their most important rights, or strive to win them back again, by intimidation, by resistance, and, if needful, by the strong arm.

The general sentiment was forcibly expressed in the unbounded popularity and applause which hailed the patriot who had followed up the cause with perseverance at once so calm and so inflexible. The name of Hampden grew instantly the most distinguished in the country, and his lawyer Mr. St. John, who was "known to be of parts and industry, but not taken notice of for practice in Westminster Hall till he argued" in this question, derived from his exertions a reputation "which called him into all courts, and to all causes, where the king's prerogative was most contested."* Wentworth himself, in a letter to the primate, observes that Hampden was entitled by many the father of his country ; and his impotent anger on this account thus vents itself. "In truth I still wish, and take it also to be a very charitable one, Mr. Hampden and others to his likeness were well whipped into their right sense ; if that the rod be so used as that it ^{smarts} not, I am the more sorry. As well as I think of Mr. Hampden's abilities, I take his will and peevishness to be full as great."†

"Your mention of Mr. Hampden," Laud replies, "(and I must tell you I like your censure of him and the rest very well,) puts me in mind of the ship-business as it now stands : the judges have argued by four in a term, and so eight are

* *Hist. Rebel.* i. 324.

† *Strofford Letters*, ii. 158.

past, and four to come for the next term. Of the eight that are past none have gone against the king but J. Croke and J. Hutton, who both did it, and very sourly : The accidents which have followed upon it already are these ; First, the faction are grown very bold : Secondly, the king's monies come in a great deal more slowly than they did in former years, and that to a very considerable sum : Thirdly, it puts thoughts into wise and moderate men's heads which were better out ; for they think that if the judges which are behind do not their parts both exceeding well and thoroughly, it may much distemper this extraordinary and great service.”*

Clarendon mentions it as “ notoriously known ” that the pressure of ship-money was borne with more cheerfulness before the judgment for the king than after, the principles upon which the exaction was justified being at once more dangerous and more insulting than the thing itself ; after this, many men refused payment and several sheriffs declined to enforce it, and the revenue derived from this source went on constantly diminishing till the intervention of the long parliament caused it to cease entirely.

* *Strafford Letters*, ii. 170.

CHAPTER XV.

1637 and 1638.

Scotch affairs.—Arbitrary designs of the king.—Trial of lord Balmerino.—Advancement of bishops to civil power.—Canons and service-book compiled for the use of Scotland more Romish than those of England.—Canons sent down to Scotland.—Spirit of resistance among the Scottish clergy.—Lay members of the council temporize; bishops urge on the reading of the service-book.—Tumult in Edinburgh.—King deceived as to its causes persists in his measures.—Tumult at Glasgow.—Petitions from all ranks against the service-book.—Proclamations for their suppression.—Letter of lord Traquair relating a fresh tumult in Edinburgh.—Difficult situation of Traquair.—Growing strength of the petitioners.—Obstinacy of the king.—Institution of the four tables.—Proclamation declaring the petitioners traitors disconcerted by protests.—Alarm of Traquair.—Solemn league and covenant.—Enthusiasm of the people.—They demand a parliament.—King sends marquis Hamilton to Scotland as his commissioner.—General state of affairs.—King proposes to exact recusants' fines.—Correspondence of Wentworth and Laud on the subject.—Slow progress of English colonies in Ireland.—Alarm caused to Wentworth by the Scotch in Ulster.—Letter of earl of Northumberland.—Wentworth's judgment on Scotch affairs.—Account of earl of Antrim.—Wentworth's ill opinion of him.—Intriguing and assuming spirit of the queen.—Tyrannical conduct of Wentworth towards lord chancellor Loftus.—Arrival of Mary de' Medici.—King enlarges Richmond park.—Earl of Newcastle appointed governor to the Prince of Wales.

WHEN Charles had quitted Scotland for the last time, in 1633, it was, as we have seen, with the fixed purpose of rendering himself absolute master both in church and state, and imposing upon all orders of men such new laws and regulations as accorded with his own views and principles. To suppress by an intimidating example that spirit of freedom amongst the nobility which had so strongly excited his indig-

nation during the sitting of the last parliament, seemed an expedient preparation for his further measures, and a state prosecution was instituted against lord Balmerino, who had distinguished himself as a leader of opposition, on the following occasion.

During the sitting of parliament a strong petition against the measures of the government had been prepared by the dissidents ; but when, as a necessary precaution, they had announced to the king their intention of presenting it, he had expressed such displeasure as caused the design to be relinquished. A copy had however been retained by Balmerino, which, two years after, he had communicated in confidence to his lawyer ; by this person it was betrayed to Hay, his private enemy, who divulged it to archbishop Spottiswood, and the prelate carried the tale to court, with the addition that the petition was then circulating for subscriptions. On the first alarm, the writer of the petition fled beyond sea, but lord Balmerino was secured, and indicted on the old and tyrannical law of leasing-making, first, for having interlined a seditious petition with his own hand, and secondly, for having suffered the author of it to escape, instead of bringing him to justice. The cause was committed to a jury, carefully packed by the court, in which however the suffrages were equally divided. Lord Traquair, the foreman, who held the offices of lord-treasurer and secretary of state, gave his casting vote of Guilty : this by the Scotch law was sufficient, and sentence of death was pronounced ; but the people, incensed by a condemnation so cruel and iniquitous in all its circumstances, threatened such vengeance against all concerned, that Traquair, in fear of his life, fled to court and announced that the execution of the sentence, however just, was by no means expedient. It was accordingly suspended ; Balmerino, after a long and severe imprisonment, was liberated, and at length pardoned ; but this tardy and reluctant mercy was regarded by himself as a very imperfect atonement for the injustice of his trial and condemnation, and his brother peers sympathised in his feelings. They well knew that it was in reality his parliamentary conduct which had drawn upon him the vengeance of his sovereign ; his wrongs became therefore those of the whole order, and the effect of this intended assertion of authority was to complete the ruin of the royal cause in Scotland.

Another measure from which the king seems to have anticipated great results proved scarcely less unfortunate. To

elevate the church by conferring upon her ministers the offices and honors of the state, had long been a favorite idea with Laud ; he had acted upon it in the advancement of Juxon, and it was doubtless at his suggestion that the office of chancellor of Scotland was conferred on archbishop Spottiswood ; that the greater part of the bishops were called to the privy council ; and that on them the chief power in nominating the lords of the articles had been devolved. Intoxicated by their new authority, the prelates proposed the revival of mitred abbots, to be endowed with revenues and titles resumed from the lay impropiators ; they obtained the royal warrant to establish throughout the country an inquisition under the name of courts of high-commission, and by the excessive arrogance of their demeanor exasperated the jealousy and indignation with which a proud and ancient nobility beheld their new and rival greatness.

It is stated to have been the king's original design to cause the church of Scotland, like that of Ireland, to receive without modification the canons, articles and ritual of the church of England, and thus to establish throughout his dominions that exact uniformity the importance of which had been advanced in justification of all the acts of rigor exercised against the English puritans : but on the representation of the Scottish bishops that their nation would resist, as a badge of inferiority and dependence, the imposition of the entire system of England, Laud received his master's commands to employ a committee of those prelates in framing, under his own inspection, new canons and a service-book for the use of their country, taking however those of England for their model.

It afterwards suited the purposes of the primate to represent the variations thus introduced under the sanction of his authority as matters of little or no consequence, forming a distinction rather than a difference between the religious systems of the two kingdoms ; but there can be no doubt that the character and spirit of the greater part of them was that of a considerably nearer approach to Rome in doctrine and ritual. We even learn that the king, on the completion of the service-book, which had been looked over and approved by himself, exhibited it to the queen that she might see how small was the difference between his religion and her own.

The canons were finished and sent down to Scotland some time before the liturgy. Neither synod nor parliament was summoned to deliberate upon them or sanction their re-

ception ; the king contented himself with addressing a letter to the privy council commanding them, on his own authority, to receive and put them in force. By this code, all that yet remained of the presbyterian form of discipline was formally abrogated. The king assuming, as of right divine, what neither law nor custom had given him in Scotland, the character of head of the church, imposed upon all ecclesiastical persons the oath of supremacy. Excommunication, with its civil consequences of outlawry and forfeiture, was denounced against such as should deny the divine right of bishops or the lawfulness of consecrating them ; and no preacher was to impugn the doctrine delivered by any other preacher from the pulpit without license of his ordinary. All meetings of presbyters or any other private persons for religious discussion or the exposition of scripture, as well as all attempts to make new rules or orders without the royal authority, were prohibited on pain of excommunication. No one was to teach, in public or private, without episcopal license, and nothing was to be printed without the license of visitors appointed by the bishops, on pain of such punishment as the prelates should think proper to inflict. Severe penalties awaited those who should impugn the future liturgy, to which the clergy were required to declare their assent by anticipation. No worship was hereafter to be permitted but according to that form, and extemporary prayer, the universal practice of the presbyterians, was thus totally abolished.

Duty, conscience, the spirit of freedom, the interests of their calling, and the predilections of theologians, alike forbade the clergy of Scotland to yield obedience to the lordly mandate, and tamely to surrender up to man the institutions, the principles, the most cherished ordinances, of a religious system derived, as they believed, from God himself. In discourse and in the pulpit, undeterred by threatened punishment, they warned, they roused, they instigated their hearers against the machinations of those who sought "to gag the spirit of God, and depose Christ from his throne by betraying to the civil magistrate the authority of the kirk." By such exhortations the polemical zeal which Knox and his successors had deeply implanted in the bosoms of a rude but fervid people, was exalted to a passion ; and it was with a spirit of scorn, defiance, and determined hostility, rather than any sense of awe or apprehension, that they awaited the menaced imposition of the royal rule of faith and worship.

Dismayed at the contest which they saw to be approaching, the lay members of the Scottish council manifested strong re-

luctance to cooperate in the introduction of the new service ; and even the bishop of Edinburgh, in the hope of obtaining from the king and from Laud some modification of the rigor of their commands, had concurred in promising the citizens a respite of some months. But the eager desire of the archbishops of St. Andrews and Glasgow to recommend themselves by a proof of zeal at the court whither they were hastening, added to the great preponderance of ecclesiastical votes in the privy council selected for the occasion, where nine bishops were balanced by only two laymen, caused the violation of this promise. On the arrival of the service-book with the king's letter commanding its use, the council, hoping to carry the point by a kind of surprise, publicly announced that on the next ensuing Sunday, July 23d, 1637, the liturgy would be performed in the principal churches of Edinburgh.

Short as was the notice, there was still time for the people to communicate their feelings and in some degree to concert their measures, and the result was a tumult the like of which had not been witnessed in the country since the Reformation. In the Grey Friars church there was, says a contemporary, "such a confused acclamation, such a covered-headed gazing . . . such a wringing of hands, and such an effusion of eye-streams," that the pastor "was forced to put an end to that patched work before he had scarce begun." The high church, or cathedral, where the bishop and dean went to officiate, solemnly accompanied by the archbishops and other prelates, the lords of session and the magistrates, exhibited a scene of still wilder confusion. The dean, who introduced the service, was interrupted by the weeping of the gentlewomen, the lamentations and reproaches of the women of a lower class, and by the hurling of stools against his face. The bishop, who then mounted the pulpit, was first assailed by cries of anger and epithets of abuse, and then by such missiles as had been aimed against the dean ; and when by great exertion the most violent of the opposers had been turned out, the windows were broken by the crowd, who threw in stones, crying, "A pape, a pape, antichrist, stane him, pull him down." In his retreat to his own lodgings the bishop was again assailed, and was nearly trodden to death before he could be rescued. The evening service was performed with less interruption, through the precaution of excluding the women, who were incited, partly by the violence of their own feelings, partly, it may be suspected, by the cautious policy of

the men, to venture themselves in the foremost ranks of this tumultuary warfare. But the bishop in his return from the church was once more attacked with fury in the street, and is said to have narrowly escaped the death of St. Stephen.

Deprived of all wisdom by their fears, the bishops on the following day caused a proclamation to be issued by the council, denouncing death without mercy upon all who should speak either against their own order or the lower clergy.

It was the great misfortune of Charles in this, as in many other transactions of his life, not to be told, or not to believe, the truth. Instead of perceiving that he and his bishops stood alone defying a nation, and that to yield or be overcome was now the only alternative left him, he credulously listened to the delusory excuses of parties who were probably first deluded themselves by their passions or interests. The town council of Edinburgh submissively deprecated his anger, laying all the blame upon the "rascal multitude." Archbishop Spottiswood accused the absence of the earl of Traquair, as the source of the evil, and he in his turn imputed all the mischief to the precipitation and presumption of the prelates. Prone to believe that royal authority must by the appointment of Providence ever prove finally victorious over all opposition, the monarch, having committed to the council the cognizance and punishment of the late tumults, repeated his command for the adoption of the liturgy. The prelates thus encouraged attempted to enforce upon the clergy by legal means the purchase of the service-book; but four of them having protested and appealed to the council, the lay interest, or rather the spirit of the nation, so far preponderated in that body, that it was decided that the clergy had indeed been enjoined by the proclamation to buy, but not to use the book. Seven or eight women, apprehended for their share in the riot, were liberated without trial; and soon after the council framed an address to the king informing him of the numerous supplications against the book, and the daily accession of persons of rank and consequence to the party of opposition, and advising concession to their religious scruples. But the pride and passion of the king and his minister were too far engaged for retreat; and the council received no other answer than a reprehension for their want of zeal and duty in the prosecution of the business, and an absolute denial of their request that a few of their members might wait upon his majesty with fuller information of the state of affairs.

The persistence of the king was encountered by equal de-

termination on the part of the people ; an attempt to read the liturgy at Glasgow was resisted by a tumult of which it was "thought not meet to search either the plotters or actors, for numbers of the best quality would have been found guilty." Among the supplicants, as they called themselves, there now appeared twenty peers, a great part of the gentry, and eighty commissioners from towns or parishes ; and the duke of Lenox accepted the charge of presenting their petitions to the king, together with the representations of the council. The royal answer was expected in October, and the council suspended further proceedings till its arrival. By this delay leisure was given to the Scottish leaders to rouse the whole country and concert plans which might render resistance effectual, should it prove to be necessary. Vast multitudes flocked to Edinburgh at the appointed time, to learn the issue, and two hundred parishes joined in petition against the service-book.

At length the royal will was manifested by the appearance of three proclamations ; one commanding the people to their homes, another directing the removal of the supreme court of justice from Edinburgh to Linlithgow, and a third for the suppression of a book against the "English-popish" ceremonies obtruded on the kirk of Scotland. The result of this mockery of the hopes and wishes of the people cannot be so well expressed as in a letter from lord Traquair, as secretary of state, to the marquis of Hamilton, the minister for Scotch affairs. ". . . . The noblemen, gentry, and commissioners from presbyteries and boroughs, seemed to acquiesce herewith, and every man, in a very peaceable manner, to give obedience to the tenor of the proclamations ; but the next day thereafter, the town of Edinburgh, or, as our new magistrates call it, the rascally people of Edinburgh, (although their sisters, wives, children, and near kinsmen were the special actors,) rose in such a barbarous manner, as the like has never been seen in this kingdom ; set upon the bishop of Galloway, and with great difficulty was he rescued into the large council-house. This beginning was so continued, that before a course could be taken to secure him, the town council-house, where the magistrates were sitting upon their own private affairs, was environed with huge numbers of all sorts of people. The reason of their rising and environing their own magistrates was, as they publicly and confidently affirm, because their magistrates, both before this uproar and in the time of the pacification thereof, had promised to them

that they should be the last in all this kingdom should be urged with this book. . . . My lord, believe that the delay in taking some certain and resolved course in this business, has brought business to such a height, and bred such a looseness in this kingdom that I dare say was never since his majesty's father's going into England. The king is not pleased to allow any of us to come to inform him ; and after debating with himself, his commandments may be according to the necessity of the time. No man stays here to attend or assist the service ; and those on whom he lays, or seems to entrust his commandments in this business, most turn back upon it whenever any difficulties appear. I am in all these things left alone, and, God is my witness, never so perplexed what to do. Shall I give way to this people's fury, which, without force and the strong hand, cannot be opposed ? I am calumniated as an under-hand contriver. Shall I oppose it with that resolution and power of assistance that such a business requires ? It may breed censure and more danger than I dare adventure upon without his majesty's warrant, under his own hand, or from his own mouth. My lord, it becomes none better to represent these things to our master than yourself ; for God's cause, therefore, do it. And seeing he will not give me leave to wait upon himself, let him be graciously pleased seriously and timely to consider what is best for his own honor and the good of this poor kingdom, and direct me clearly what I shall do," &c.*

The consequences which Traquair apprehended to himself from a temporising policy, speedily followed ; Laud censured his conduct, and Charles doubted his fidelity, whilst the people pursued him with threats and execrations, and on one occasion violently assaulted him in the streets ; on all sides he found himself surrounded with insuperable difficulties ; what the king had willed was in effect impracticable, but the obstinacy of his temper refused itself not merely to argument, but even to information. Every day the strength and courage of the opponents of authority augmented. The town council were not liberated from their durance till they had consented to unite themselves to the supplicants against the book and to restore certain silenced ministers. A complaint against the bishops, as the causers of the troubles, was signed by all classes ; as was a solemn petition to the council for the abolition of the canons and liturgy, in which it was also

* *Miscel. State Papers*, ii, 95.

prayed that the prelates should not sit as judges in questions involving their own pretensions. It was next proposed by some popular leaders, and unwarily assented to by the council, that deputies should be elected from the four classes of nobles, gentry, clergy, and burghers, who should form standing committees at Edinburgh, under the name of tables, to watch over the interests of the supplicants. This measure, which, amongst other advantages, secured the cause from suffering by the violence and folly of its own mobs, may be regarded as a masterpiece of policy on the part of the leaders; and from the moment it was carried into effect, the revolt may be said to have assumed the dignity of a revolution.

Charles now made an effort to disunite the petitioners by a proclamation in which he held out hopes of pardon to the people on disavowal of the late riots; professed his hatred of popery and superstition, and disclaimed all designs against the liberties of the nation. The attempt failed; such vague professions were of little force when opposed to the evidence of facts; and the next recourse of the king was to an act of authority, designed by its unexpectedness to strike awe into the most refractory. This was the issuing of a new proclamation in which he avowed the liturgy, denounced the tables as an infringement of the prerogative, and prohibited on pain of treason the reassembling of the supplicants. But the project was disconcerted by the good intelligence and prompt resolution of the opposers; at its publication, first at Stirling and afterwards at Edinburgh, the royal edict was encountered and neutralized by protests backed by overwhelming numbers. Traquair, either through fear or private enmities an unwilling instrument in these measures, now wrote to the marquis of Hamilton that so much were the minds of all sorts and qualities of men in that kingdom commoved, that it would be a great providence of God if some mischief did not ensue before help could be provided. He added, that the king's new ratification of the service-book by this proclamation was what troubled men most, and that in his judgment it would be as easy to establish the missal in that country.* The opinion was correct; and the next measure of the petitioners was the promulgation of that memorable bond of union, the solemn league and covenant. This engagement was in part copied from an earlier covenant instituted at the reformation containing a long and vehement abjuration of popery. It also

* *Miscel. State Papers*, ii. 39.

comprised a recitation of the acts by which the kirk had been established, and a vow "by the great name of the Lord their God," to maintain the true religion, resist all contrary innovations, errors, and corruptions, and to defend the king, his person and authority, in the preservation of the religion, laws and liberties of the kingdom. A day of solemn fast was proclaimed as a preparation for the public reception of the covenant at Edinburgh, and it was in the mean time transmitted for subscription into all quarters of the kingdom. The clergy preached it up with a zeal comparable to that of the first crusaders, and an equal enthusiasm seized both sexes, all ranks, and all ages. In two months it had penetrated into the remotest corners of the land; it was embraced with tears of penitence for past backslidings, and shouts of joy for the opportunity thus afforded of reconciliation with Heaven. Confident in their numbers, zeal and union, in the secret encouragements which they received from the friends of liberty and presbytery in England, and in the aid of Heaven, due, as they believed, to the unquestionable purity of their faith and rectitude of their cause, the Covenanters,—such was the name imposed upon them by their enemies but cheerfully adopted by themselves,—daily extended their views and rose in their demands. Not content with the rejection of the canons and liturgy, they now required the abolition of the high-commission, a restriction of the power of the bishops, the restoration of the privileges of assemblies, and the convention of a parliament.

It was at this crisis that Charles, still imputing the progress of disobedience to the slackness or treachery of Traquair and the council, nominated the marquis of Hamilton as his commissioner, and in May 1633 sent him into Scotland. But before we proceed to the results of this mission it may be instructive to inquire into the general state of affairs both in that country and in England, and with what eyes the prospect was viewed by some of the advisers most trusted by the king himself.

The distresses of the exchequer had now urged the king, against his will, to exact the fines on recusants, notwithstanding the compositions formerly made with them, and part of the money was assigned for the restoration of St. Paul's. This alarmed Wentworth; he writes to the primate: "I am well sure that the supersedeas from the council at York in that matter of composition with recusants for their estates, are barely for their recusancy only. . . . but it is also very

true, that it was privately advised and resolved, the proceedings of the high-commission should sleep awhile towards them, except where the misdemeanors were insolent and public, till we had got over the work and settled the revenue, lest otherwise they might deter them from composition, and so destroy the service. Now, if in reason of state the time be found fit to set the ecclesiastical courts loose again I have no more to say, but wish that power be so executed as may not, as formerly, carry the benefit of the forfeitures upon those laws forth of his majesty's exchequer into the purses of a company of catching officers, greedy informers and pursuivants. Believe me you have a wolf of this business by the ear, and you must drive very even, or you will grate on one side or other, either upon the king's revenue, or upon the ecclesiastical courts: besides the recusants will all be about you, engage the queen, and God knows who besides, which may chance to trouble you more than you are aware of, and in fine I fear raise an inconsiderable sum for the work you intend it."*

Laud in answer wishes that the king's revenue were raised some other way, but since "the wisdom of his majesty and the state" had judged this expedient, he would neither oppose it, nor yet proceed in anything "but with public allowance. "But," he adds, "if any of them shall commit such crimes as that the conformable subject of England should be punished for them in the high-commission, I hope in that case no man can think it fit they should have impunity; for if that should be once resolved on, that very impunity would in short time make a great step into the change of religion, and God forbid it should have any such operation."† From this passage it may be inferred that Laud had now taken serious alarm at that revival of the Romish faith in England which his enemies had been forward to impute, and not without reason, to the abandonment of the outworks at least of the protestant system, of which he was himself the author or adviser. The penalties however were after this seldom, if ever, exacted.

Wentworth was strenuously, but not it seems very successfully, proceeding in the work of settling English colonies in the lands which had been seised by the crown from their Irish proprietors. "The plantations of Ormond and Clare," Laud writes, "are a marvellous great work for the honor and

* *Stratford Letters*, ii. 153.

† *Ibid.* 170.

profit of the king and safety of that kingdom but I am sorry to read in your letters that you want men extremely to fill that work ; and this 's the more considerable a great deal, that you should want men in Ireland, and that the while there should be here such an universal running to New England, and God knows whither ; but this it is, when men think nothing is their advantage but to run from government. As for your being left alone in the envious and thorny part of the work, that 's no news at least to me, who am forced to the like here, scarce a man appearing where the way is rough indeed.”*

The tyranny of Wentworth which deterred new settlers from planting themselves in Ireland, and that of Laud which in England had driven forth thousands of the most conscientious members of the community to seek shelter in the untrodden wilds of America, was now on the point of bringing retribution upon their own heads and confusion on the three kingdoms of their master. Wentworth had set on foot a persecution against the presbyterians in Ulster, by banishing many of their ministers for nonconformity ; they immediately passed over to their brethren in Scotland, where they took an active part in organizing the national revolt ; their congregations in Ulster participated in the same spirit, and in July 1638 an awful warning is thus conveyed by the primate to the lord-deputy. “. I know too well that very little trifles in church pretensions make much noise, and are hardly laid down ; as you may see by the Scottish business, which is grown very ill. The Scottish business is extreme ill indeed, and what will become of it God knows, but certainly no good, and his majesty has been notoriously betrayed by some of them : There is a speech here that they have sent to know the number of Scotchmen in Ulster ; and that privately there hath been a list taken of such as are able to bear arms, and that they are found to be above forty thousand in Ulster only. This is a very private report, and perhaps false, but in such a time as this, I could not think it fit to conceal it from your lordship, coming very casually to my ears. God bless his majesty and the state.”†

In the same month the earl of Northumberland, lately appointed lord high admiral, writes to the lord-deputy thus : “ It was expected that yesterday at Thobalds the king would take his resolution to make peace or war with the Scots. Of

* *Strafford Letters*, ii. 169.

† *Ibid.* ii. 185.

the committee for those affairs, the marshal, Cottington and Windebank, are all earnest to put the king upon a war; the comptroller is for peace, and secretary Coke inclines that way rather than the other the king hath commanded me to attend this committee; nothing that I have yet heard doth persuade me to be of the marshal's opinion. In the exchequer, being examined upon this occasion, there is found but two hundred pounds nor by all the means that can yet be devised, the treasurer and Cottington, engaging both the king's and their own credits, are able to raise but one hundred and ten thousand pounds towards the maintaining this war: The king's magazines are totally unfurnished of arms and all sorts of ammunition; and commanders we have none either for advice or execution: The people throughout all England are generally so discontented by reason of the multitude of projects daily imposed upon them, as I think there is reason to fear that a great part of them will be readier to join with the Scots, than to draw their swords in the king's service. And your lordship knows very well, how ignorant this long peace hath made our men in the use of their arms. These considerations move me to think it safer and better for the king to give them their own conditions for the present, than rashly enter into a war, not knowing how to maintain, or indeed to begin it. God send us a good end of this troublesome business; for to my apprehension no foreign enemies could threaten so much danger to this kingdom, as doth now this beggarly nation."*

In reply, Wentworth offers freely and at large his judgment on Scotch affairs; differing widely, as he says, from both parties in the council, he advises a middle course: "No better provided, I must disadvise a rash and sudden declaring of a war, and yet I would not fearfully sacrifice my will and honor to their mutiny, nor entangle the king with acts of parliament, oaths, or what not, which you should be sure to have demanded, just with the same height and rudeness they now call for a parliament, which to grant them upon these terms, and thus distempered, I judge, under favor, the greatest meanness and madness that were possible." The people were therefore to be admonished of their duty to wait the king's pleasure for granting their wishes, to lay aside the thoughts of a parliament, and "to consider the modesty, the reverence wherewith they were to approach God's anointed and their king, and so to frame their petitions and supplications, and that

they might be granted without diminution to his height and royal estate." "I am confident," he adds, "this will not presently provoke them to an offensive war upon England, and for the rest, nothing they can do can be so bad as, thus dis-tempered in themselves, audacious towards the king, to enforce him to bend to their crooked rules and assumptions." Time being thus gained, he would have garrisons put into Berwick and Carlisle, and troops raised in the northern counties; afterwards, should the Scots continue refractory, a fleet should cut off their trade and seize their ships; a royal party should be formed in the country; all the presbyterian clergy who could be seized should be closely imprisoned, but not further proceeded against, "in regard nothing would more sharpen the humour than their execution, howbeit the most justly due unto them that ever was." The Irish army should be drawn down into Ulster, to serve a double purpose,—against the Scotch there, and in Scotland itself; the English and Irish clergy should preach against disobedience and rebellion; finally, a fleet should be sent to capture Leith, and hold it till the English common prayer should be received, the bishops settled, "and peradventure that kingdom both in temporal and ecclesiastical matters wholly conformed to the government of England."

It is evident from the strain of these recommendations how imperfect a measure Wentworth had yet taken of the present state of affairs and the dangers which impended; he mentions indeed in the same letter that it fell upon the English ministers "unexpectedly," owing to the "unhappy principle of state" acted upon by Charles, as before by his father, of keeping separate, and secret from the English council, all the affairs of that nation, and employing and entrusting in them none but Scotch, which was "to continue them two kingdoms still."*

These times first brought into action the earl of Arundel, grandson of the famous chieftain Tyrone, a person too well known afterwards in the Irish rebellion, but at this time, in the words of Clarendon, "notorious for nothing, but for having married the dowager of the great duke of Buckingham, within few years after the death of that favorite." Partly through the influence of his wife, who was not less distinguished by her wit and spirit than her rank and high birth, partly through his religion, which recommended him to the

* *Stafford Letters*, ii. 190.

favor of the queen, he had been enabled, notwithstanding the defects of his judgment and the excess of his pride and vanity, to maintain a certain degree of credit and consequence at court, "until his riot had contracted so great a debt that he was necessitated to leave the kingdom and retire to his own fortune in Ireland."* This event had just occurred; and in the same letter in which he desired of the lord-deputy a king's ship to convey-over his duchess and family, we find him already entering upon a business of great delicacy and importance.

Whether the earl of Antrim had his extraction from Scotland, or the lord Lorne, afterwards marquis of Argyle, his from Ireland, was a dispute which the noble historian resigns to "the bards of the family of the Macdonnells;" to the chieftainship however they both pretended, Antrim likewise laying claim to certain estates held by Lorne on the western coast of Scotland, opposite to his own possessions in Ulster. The marquis of Hamilton on his return from Scotland had informed Antrim that his enemy was providing men and arms, which he gave out were intended against him; and either on this account, or on this pretence, Antrim states that he had obtained from the king a grant of arms for his majesty's service, which he hereby requests the lord-deputy might be delivered to him.

In his next dispatch to his majesty, Wentworth thus notices the demand. "The earl of Antrim shall be observed, as your majesty hath directed. I wish his performance may answer the expectation it seems is had of him. For me . . . I neither hope much of his parts, of his power, or of his affections. His lordship lately writ to me to be furnished of arms, and that the magazine for them might be kept at Coleraine. Communicate this with the council here I durst not, for I am sure they would never advise such strength to be intrusted with a grandchild of the earl of Tyrone: And for myself, I hold it unsafe any store of arms should be so near the great Scottish plantations in those parts; lest if their countrymen grow troublesome, and they partake of the contagion, they might chance to borrow those weapons of his lordship for a longer time, and another purpose, than his lordship might thank them for. They are shrewd children, not much won by courtship, especially from a Roman catholic."†

* *Hist. Rebellion.*

† *Strafford Letters*, ii. 184, 187.

Notwithstanding this wise and earnest remonstrance, Antrim through the countenance of the queen continued to be indulged in requests and encouraged in projects of which the results will appear in the sequel. The authority usurped by this shallow and intriguing woman had now become a source of embarrassment and confusion in the conduct of the most important affairs ; and it may be mentioned that, with an assumption of which it is probable that no other queen-consort of England has ever afforded an example, we find her addressing the lord-deputy in behalf of some courtier whom she favored, in letters missive headed "Henriette Marie R." and commencing with the official and regal form of "Right trusty and well-beloved cousin, we greet you well."*

The danger to be apprehended from the settlers in Ulster, added to the business of the plantations in Connaught, rendered it wholly inexpedient, as the lord-deputy informed the king, to draw any forces from Ireland in his present exigency. "It is not to be kept secret," he writes to Laud, "that there are forty thousand Scots in Ulster able to bear arms ; we hear the crack of it, if not the threat, every day in the streets neither if now all the English planted about the Derry be turned out, will they be the weaker for that. What will be the end if we thus arm against ourselves ? God send them (the Scotch) well into their right wits say I, deliver the public peace from the ill of them, and me out of their fingers. You may pray as much, if you please, for your share ; for if truth were known, they wish no better to you than myself, and that, believe me, is ill enough."†

It was in the midst of public dangers formidable and urgent as these, that the unbridled passions of the lord-deputy impelled him to an abuse of the high authority entrusted to him more flagrant if possible than that of which he had previously been guilty in the case of lord Mountnorris. The lord chancellor of Ireland, Loftus, an ancient servant of the crown, had from his first arrival in Ireland enjoyed much of the favor and countenance of the lord-deputy, of whose plans and policy he and his family had shown themselves earnest promoters. Unfortunately, the intimacy thus established had given opportunities to Wentworth, whose libertinism was notorious, to seduce from the path of duty lady Gifford, the daughter of the chancellor, and proof of their connexion was furnished by the accidental discovery of his letters. Money

* *Stafford Letters*, ii. 178.

† *Ibid.* 195.

quarrels arose in the family, sir John Gifford summoned the chancellor to make a settlement on his wife and children ; and on his refusal brought an action against him in the castle-chamber. By this tribunal, in which the lord-deputy ruled with absolute sway, a decision was given against the chancellor, who refused however to obey the award, on the plea that it was illegal as well as partial, and that the case ought to have been tried in the ordinary courts. For this contumacy, as it was called, Wentworth procured from the king an order to sequester the chancellor from the council, to deprive him of the seals, and imprison him till he should make submission. The appeal of the unfortunate minister to the justice of his sovereign was set aside, on pretence of the insolent language which Wentworth said he had received from him, and he could regain his liberty on no other terms than compliance with the award and a humble acknowledgment to the seducer and champion of his degraded daughter.

The gross iniquity of the sentence raised a clamor against its author which he endeavored to stifle by artifices and representations scarcely less iniquitous. It is thus that he applies himself to the jealousy of prerogative which he knew to be predominant in the mind of his master.

“ Assuredly the endeavors of no servant have been more awake to serve and effect your majesty’s commands without noise ; and yet such is my unhappiness as ever to meet with contradictions : How to avoid them is not in my power, since I am still enforced to contend for your majesty’s authority, unmixed with the least private interest of my own : And whilst my heart tells me, I am therein guided by a perfect will and zeal, nay indeed a necessity imposed upon me so to do, I am able without amazement to hear myself reported, nay cried out aloud in the streets, to be the outrageous, where verily I take myself to be the patient ; and that entirely for the service of my master.

“ I fear this evil hath not its root in me, I would to God it lay no deeper, did not draw its sap from a more malignantly fruitful soil. . . . I doubt much rather, it grows from an universal distemper of this age, where the subjection nestles itself too near the sovereignty, where we are more apt wantonly to dispute the powers which are over us than in former times : such a spreading evil indeed as, to my seeming, it hath already left God and your majesty only capable to correct and stay the madness of it. And surely, sir, give me leave with all hu-

mility to say, it is high time you early and seriously attend the cure, when it is almost judged a crime roundly to serve the crown ; and every voice that either constrains or inclines this fury to the modesty and moderation of our ancestors, heard, prejudged, as if Gracchus were the speaker.

" I foresee this whole action as it hath proceeded on the person of your chancellor, will be imputed unto me ; howbeit his lordship's committal is equally, if not more, the act of the board than mine. I durst not go less in this particular, which was a high and immediate contempt against your majesty's own power and greatness, without the shadow of any other private interest whatsoever."*

The queen, in pursuance of her propensity to intermeddle in everything, having intimated her intention to interpose as a peacemaker between the lord-deputy and the chancellor, we find Wentworth in a letter to one of the officers of her household indulging in the most furious abuse of his unfortunate victim, and accusing him of every kind of malversation and corruption in his office ; but these charges he never substantiated.

Amongst the untoward, and, as many imagined, the ominous events of this year, is to be reckoned the arrival of Mary de' Medici, queen dowager of France and mother to Henrietta, who landing at Harwich in the month of October, was conducted in great state through London, and received at St. James's with every exterior sign of welcome. On the part of the king however there could be little sincerity in these demonstrations. From the time that her intrigues and her hostility to Richelieu had caused her banishment from the kingdom of France, where she had once figured with such distinguished splendor in the office of regent, this unprincipled and turbulent female had suffered, not undeservedly, the hardships and mortifications attached to the lot of an exile. At first she had found an asylum at Brussels, under the protection of the cardinal infant, and hence she had more than once intimated her intention of proceeding to England : but repeated messages of discouragement from king Charles had obliged her to postpone the visit, and for the last year she had remained in Holland, vainly awaiting an invitation from her daughter the queen of Spain. All countries seemed alike to deny a resting-place to this forlorn mother of a royal progeny. At

* *Strafford Letters*, ii. 161.

length, the filial entreaties of Henrietta prevailed, and Charles, in the midst of his own poverty and embarrassments, submitted to receive and maintain her. Her country, her religion, and her relationship to the queen, all conspired to render her obnoxious to the people. Laud notes in his diary, "many and great apprehensions on this business." The equinoctial storms which assailed her on her passage were called by the sailors "Queen-mother weather," and even the pestilence then raging was believed to be in some mysterious manner connected with her presence. She obtained from the king an enormous pension, and according to the corrupt practice of the time, a patent, of which leather must have been the object, for Cleveland, the royalist poet, addressing the puritans, wishes she would extend, "According to your fears her patent to your leathern ears."

Charles was not habitually profuse in his expenditure ; but there were temptations to extravagance which in the midst of all his embarrassments he wanted fortitude to resist. Of this number was the project, adopted this year, of greatly enlarging Richmond Park and surrounding it with a wall, in order that he might enjoy, at his own door as it were, the amusement of stag-hunting, for which he inherited the passion of his father. Besides the vast expense of this design, it was pursued by the king with a contempt of private rights which gave just umbrage and supplied to his enemies a fresh topic of invective. Such of the surrounding landowners as refused to part with their freeholds, were forcibly dispossessed, and remunerated at the discretion of arbitrators of his majesty's own appointment. Cottington, extremely perplexed to find the money for this idle indulgence, used every mode of dissuasion suggested by his long experience and consummate address ; Laud declared against it with all the headlong vehemence of his temper, but equally without effect ; the king was inflexible and made himself obeyed.

The prince of Wales having completed his eighth year, it was now judged proper to take him out of female hands and to assign him a separate household and a governor. This office, together with the dignity of privy councillor, was conferred on the earl of Newcastle, long an assiduous courtier and particularly countenanced by Wentworth. The choice was in many respects a judicious one ; few noblemen of the age were equally distinguished by loyalty, by munificence, and by the patronage of letters : "As it was a great trust and

honor," writes his lady of this appointment, "so he spared no care and industry to discharge his duty accordingly; and to that end, left all the care of governing his own family and estate, with all fidelity attending his master, not without considerable charges and vast expenses of his own."*

* *Life of William duke of Newcastle*, p. 7.

END OF THE FIRST VOLUME. .

